City of Oregon City

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

Meeting Agenda

Planning Commission

Monday, November 18, 2019 | **7:00 PM** | **Commission Chambers**

Special Date

1. Call to Order

2. Public Comments

3. Public Hearing

3a. Planning Files GLUA 19-0006 / CI-19-00002: Code Interpretation for Multi-Family on Beavercreek Road

Attachments: Commission Report

Staff Report

Exhibit 1: Applicant's Submittal

Exhibit 2: SP 14-01 Notice of Decision

Exhibit 3: AP 14-01 and AP 14-02 Notice of Decision

Exhibit 4: LUBA 2015-013 Final Opinion and Order

Exhibit 5: EX 17-01 Notice of Decision

3b. Planning Files GLUA-19-00017 (General Land Use Application), SP-19-00053 (Site Plan and Design Review), PARK-19-00002 (Parking Adjustment) - Milner Veterinary Clinic Parking Lot and Parking Adjustment

Attachments: Commission Report

Staff Report and Recommendation

Exhibit 1: Vicinity Map

Exhibit 2: Applicant's Submittal

Exhibit 3: Public Comments

Exhibit 4: Applicant's Parking Analysis and Justification for Adjustment

Exhibit 5: On-street Parking Availability Analysis Prepared by Staff

3c. Planning Files: LEG 19-00003 - Beavercreek Road Concept Plan- Code and Zoning Amendments- (Parks, Enhanced Home Occupation/Cottage Industry)

Attachments: Commission Report

Memo dated November 8, 2019

Question and Issues Matrix

Public Comment Matrix -Updated for 11.18.19 Meeting

Beavercreek Road Concept Plan Overlay Map

Beavercreek Road Concept Plan Adopted 2008 (readopted 2016)

Vicinity Map

Applicant's Submittal

June 7, 2019 Draft Zoning Code Amendments

June 7, 2019 Revised Draft Zoning Map (with and without major streets)

June 7, 2019 Zoning Code Memo

June 7, 2019 Zoning Map Memo

Economic/Jobs Analysis Memo

Infrastructure Memo

Transportation Memo

Public Comment Tracker January 2019-June 2019

4. Communications

5. Adjournment

Public Comments: The following guidelines are given for citizens presenting information or raising issues relevant to the City but not listed on the agenda.

- *Complete a Comment Card prior to the meeting and submit it to the staff member.*
- *When the Chair calls your name, proceed to the speaker table and state your name and city of residence into the microphone.*
- *Each speaker is given 3 minutes to speak. To assist in tracking your speaking time, refer to the timer at the dais.*
- *As a general practice, Oregon City Officers do not engage in discussion with those making comments.*

Agenda Posted at City Hall, Pioneer Community Center, Library, and City Web site(oregon-city.legistar.com).
Video Streaming & Broadcasts: The meeting is streamed live on Oregon City's Web site at www.orcity.org and is available on demand following the meeting.
ADA: City Hall is wheelchair accessible with entry ramps and handicapped parking located on the east side of the building. Hearing devices may be requested from the City staff member prior to the meeting. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

City of Oregon City

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

Staff Report

File Number: PC 19-124

Agenda Date: 11/18/2019

Status: Agenda Ready

To: Planning Commission

Agenda #: 3a.

From: Sr. Planner Christina Robertson-Gardiner and Community D

File Type: Land Use Item

SUBJECT:
Planning Files GLUA 19-0006 / CI-19-00002: Code Interpretation for Multi-Family on Beavercreek Road

RECOMMENDED ACTION (Motion):
Approval of Planning files GLUA 19-0006 & CI-19-00002 with condition.

BACKGROUND:
The purpose of this Code Interpretation is to determine if a Site Plan and Design Review application (Planning file SP 14-01) for the removal of a dwelling and accessory and construction of a 121-unit multi-family complex and 59 live-work units is valid. The applicant requested the Planning Commission make the following determinations:

> *1. For purposes of OCMC 17.50.200, a "demolition" permit is a "building" permit,*
> *2. That the demolition/building permit issued by the City as BB-15-0154 had the effect of vesting the Approval such that the Applicant, or a subsequent owner of the subject property, may obtain other building permits and any other necessary approvals to develop the subject property according to the Approval, and*
> *3. Any building permits necessary to construct the project as provided in the Approval cannot be disturbed by subsequent changes to the Municipal Code or the Oregon Structural Specialty Code.*

If the Planning Commission finds that the Code Interpretation is approved, the approved develelopment (Planning file SP 14-01) may proceed, but if the application is denied the 2014 approval becomes void and any development onsite would require a new review process for compliance with the existing Oregon City Municipal Code.

BUDGET IMPACT:
Amount:
FY(s):
Funding Source:

OREGON CITY

Planning Department

698 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

CODE INTERPRETATION
Staff Recommendation
November 8, 2019

FILE NO.: GLUA 19-0006: CI-19-00002: Code Interpretation

HEARING DATE: November 18, 2019

APPLICANT/ OWNER: Beavercreek Road, LLC
Attn: Hans Christiansen
600 University Street, Suite 1708
Seattle, WA 98101

REPRESENTATIVE: Micheal M. Reeder, Attorney
Law Office of Mike Reeder
375 W. 4th Ave., Suite 205
Eugene, OR 97401

REQUEST: Code interpretation for validity of permits/prior reviews for Villages at Beavercreek

LOCATION: 19896 Beavercreek Rd., Oregon City, OR 97045
Clackamas County Map 3-2E-10C, Tax Lot 800

NEIGHBORHOOD ASSOCIATION: Caufield Neighborhood Association

REVIEWER: Christina Robertson-Gardiner, AICP Senior Planner (503) 496-1564
Laura Terway, Community Development Director

RECOMMENDATION: Approval with Condition of Approval.

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 code interpretations. 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 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.

CONDITION OF APPROVAL

The application appears to comply with all applicable criteria with the following exception:

1. The request that "*Any building permits necessary to construct the project as provided in the Approval cannot be disturbed by subsequent changes to the … Oregon Structural Specialty Code"* cannot be made the Planning Commission and is not included in the approval. Decisions related to the Oregon Structural Specialty Code are considered by the Building Official or the Building Codes Division of the State of Oregon.

I. BACKGROUND:

The subject site consists of 9.7 acres located on Beavercreek Road, identified as Clackamas County Map 3-2E-10C, Tax Lot 800.

Figure 1: Aerial Photo of Subject Site

Permit History

- The City issued approval of a Type II Site Plan and Design Review application for the removal of a dwelling and accessory and construction of a 121-unit multi-family complex and 59 Live-Work Units on November 14, 2014 (Planning file SP 14-01).
- The decision was appealed to the City Commission (Planning files AP 14-01 and AP 14-02). On March 4, 2015, after reviewing all of the evidence in the record and considering all of the arguments made by the applicant, appellant and citizens, the City Commission concluded that the criteria for the approval of the proposed Site Plan and Design Review application had been met with conditions. The City Commission approved revisions to Conditions of Approval #'s 2, 34, and 37. Accordingly, the City Commission voted 4-0 to adopt findings for denial of the two appeals, AP 14-01 and AP 14-02, upholding the Community Development Director's decision to approve file SP 14-01, with amended conditions.
- The City's approval was appealed to the Land Use Board of Appeals, (Graser-Lindsay v. City of Oregon City - LUBA 2015-013), which upheld the City's decision on August 8th, 2015. LUBA's decision was not appealed further and became final on August 27th, 2015. Oregon City Municipal Code (OCMC) 17.50.200.C identifies the expiration period begins on the date of final disposition of an appeal (the date when an appeal may no longer be filed).
- A demolition application was submitted to demolish a 1,200 square foot single-family dwelling and a 400 square foot garage onsite in order to accommodate the proposed development. The permit was issued on April 28, 2015 (Building file BB-15-0154).
- An Extension application was approved on May 8, 2017, extending the validity of the Site Plan and Design Review approval to August 27th, 2018 (Planning file EX 17-01) in accordance with OCMC 17.50.210.
- Building permits for all of the proposed structures onsite were submitted in 2017, though none of the building permits have been issued.
- On August 22, 2018 the demolition permit was reinstated before being subsequently extended on October 7, 2019.
- Addresses were issued for the site and the applicant.

- The applicant initiated plan review for construction of public improvements.

Code Interpretation Request
The purpose of this Code Interpretation is to determine if a Site Plan and Design Review application (Planning file SP 14-01) is valid. The applicant's request includes the following:

> *A Type II land use decision is void within two years of issuance unless an extension is obtained and/or a "building permit" has been issued. Former OCMC Section 17.50.200.A.1 However, an appeal of the land use decision tolls this two-year time limitation.*
>
> *The term "building permit" is not defined by the OCMC. However, it is the position of both the Applicant and City staff that a "demolition" permit is a "building" permit for purposes of the OCMC generally, and OCMC Section 17.50.200 specifically.*
>
> *The Applicant hereby requests that the Planning Commission make the following determinations:*
> *1. For purposes of OCMC 17.50.200, a "demolition" permit is a "building" permit,*
> *2. That the demolition/building permit issued by the City as BB-15-0154 had the effect of vesting the Approval such that the Applicant, or a subsequent owner of the subject property, may obtain other building permits and any other necessary approvals to develop the subject property according to the Approval, and*
> *3. Any building permits necessary to construct the project as provided in the Approval cannot be disturbed by subsequent changes to the Municipal Code or the Oregon Structural Specialty Code.*

If the Planning Commission finds that the demolition permit does not constitute a building permit or that the Site Plan has not been vested in some way, the 2014 approval becomes void and any development onsite would require a new review process for compliance with the existing Oregon City Municipal Code.

Though the applicant requested a Planning Commission interpretation related to the Oregon Structural Specialty Code, only the State Building Codes Division or the Building Official have the authority to make such a determination.

The standard for which one determines if a permit is valid or expired may be found in chapter 17.50.200 of the Oregon City Municipal Code (OCMC). This provision of the code was changed since the proposed development application was submitted. Though it is clear that the permit would be valid if the existing standards were in effect in 2014 when the Site Plan and Design Review was submitted, the applicant may only choose to utilize the current code if the permit was valid (and had not expired) when the code was amended on August 2, 2019.

2014 Code – Effective During the Submittal of SP 14-01

17.50.200 – Expiration of an approval.

A. When approvals become void: All Type I—IV approvals, except for zone changes, comprehensive plan map amendments, conditional uses and master plans automatically become void if any of the following events occur:

1. If, within two years of the date of the final decision, a building permit has not been issued.
2. If, within two years of the date of the final decision for all land divisions, the activity approved in the permit has not commenced or, in situations involving only the creation of lots, the public improvements and conditions of approval have not been completed or financial guarantee (surety) provided.
3. Annexations become void if a vote of the citizens rejects the application.

B. New application required: Expiration of an approval shall require a new application for any use on the subject property that is not otherwise allowed outright.

C. Deferral of the expiration period due to appeals: If a permit decision is appealed beyond the jurisdiction of the city, the expiration period shall not begin until review before the land use board of appeals and the appellate courts has been completed, including any remand proceedings before the city. The expiration period provided for in this section will begin to run on the date of final disposition of the case (the date when an appeal may no longer be filed).

II. ANALYSIS AND FINDINGS:

CHAPTER 17.50 - ADMINISTRATION AND PROCEDURES

17.50.030 Summary of the City's Decision-Making Processes.
Finding: Complies as Proposed. The proposed Code Interpretation is being processed as a Type III application per chapter 17.50.030 of the Oregon City Municipal Code.

17.50.090 Public Notices.
Finding: Complies as Proposed. Once the application was deemed complete, the City noticed the application to all neighborhood associations, Citizens Involvement Committee, and posted the application on the City's website. Staff provided email transmittal of the application and notice to affected agencies, the Natural Resource Committee and to all Neighborhood Associations requesting comment. All interested persons have the opportunity to comment in writing or in person through the public hearing process. No comments were received regarding this application.

2014 Code – Effective During the Submittal of SP 14-01
17.50.200 – Expiration of an approval.
A. When approvals become void: All Type I—IV approvals, except for zone changes, comprehensive plan map amendments, conditional uses and master plans automatically become void if any of the following events occur:
1. If, within two years of the date of the final decision, a building permit has not been issued.
2. If, within two years of the date of the final decision for all land divisions, the activity approved in the permit has not commenced or, in situations involving only the creation of lots, the public improvements and conditions of approval have not been completed or financial guarantee (surety) provided.
3. Annexations become void if a vote of the citizens rejects the application.
B. New application required: Expiration of an approval shall require a new application for any use on the subject property that is not otherwise allowed outright.
C. Deferral of the expiration period due to appeals: If a permit decision is appealed beyond the jurisdiction of the city, the expiration period shall not begin until review before the land use board of appeals and the appellate courts has been completed, including any remand proceedings before the city. The expiration period provided for in this section will begin to run on the date of final disposition of the case (the date when an appeal may no longer be filed).
Finding: Complies with condition. This provision identifies that a Site Plan and Design Review approval would expire if "a building permit has not been issued" within two years of the date of the final decision.

As identified above, the decision became final on August 27, 2015 when the Land Use Board of Appeals (LUBA) decision was not appealed. This standard requires that a building permit associated with the Site Plan and Design Review must have been issued within two years of the Site Plan approval on August 27, 2017. A one-year extension was approved prior to expiration of the approval, extending the timeline to issue a building permit associated with the development to August 27, 2018.

A demolition permit associated with the proposed construction was issued on April 28, 2015. The demolition permit consisted of removing a home and accessory structure to allow for the construction of a 121-unit multi-family complex and 59 live-work units. The demolition was included in the Site Plan and Design Review approval.

The first question within this Code Interpretation is if the issuance of the application to demolish the structures onsite qualifies as issuance of a building permit. The rationale for considering a demolition permit the same as a building permit is as follows:

- The demolition request was made on the City's "Building Permit" application form.
- There is not a different application form for demolition. In other words, all demolition applications are required to be on a building permit form. The City has consistently processed demolition requests in this manner.
- The demo permit was given a building permit file number. In other words, all demolition applications are assigned a building permit number. The City has consistently processed demolition requests in this manner.
- There is not separate file type available for demolitions.
- The criteria for which demolitions are reviewed by the Building Department is found within the building code regulations.

From the information identified above, staff believes that the issuance of the demolition permit satisfies the requirement for issuance of a building permit. Staff cannot identify any rationale as to why the issuance of a demolition permit would not qualify as a building permit.

The second interpretation is if the permit is currently valid. As the building permit for demolition was issued April 28, 2015, prior to expiration of the Site Plan and Design Review permit on August 27, 2018, staff believes the permit is still valid. The Site Plan and Design Review would not expire since the requirement for issuing a building permit prior to expiration of the Site Plan and Design Review was satisfied. The applicant may choose to utilize the recently amended code since the permit was valid at the time the code amendments were effective, but does not have to.

The final interpretation is if the building permits necessary to construct the project as provided in the approval can be disturbed by subsequent changes to the Municipal Code or the Oregon Structural Specialty Code. As identified in the second interpretation above, the Site Plan and Design Review is valid and vested and thus is not subject to subsequent code amendments. As only the State Building Codes Division or the Building Official have the authority to make such a determination related to the Oregon Structural Specialty Code and thus this interpretation cannot be made. **Staff has determined that it is possible, likely and reasonable that the applicant can comply with this standard through the Conditions of Approval.**

III. CONCLUSION AND RECOMMENDATION:

Based on the analysis and findings as described above, Staff concludes that the Code Interpretation supports the request confirming that the Site Plan and Design Review approval of Planning file SP 14-01

is valid. Staff recommends the Planning Commission approve file GLUA 19-0006: CI-19-00002 based upon the findings and exhibits contained in this staff report with the condition that interpretation related to the Oregon Structural Specialty Code is not approved, as it is a decision for the Building Codes Division or the Building Official.

IV. EXHIBITS:

1. Applicant's Submittal
2. SP 14-01 Notice of Decision
3. AP 14-01 and AP 14-02 Notice of Decision
4. LUBA 2015-013 Final Opinion and Order
5. EX 17-01 Notice of Decision

OREGON CITY

Community Development – Planning

698 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)	Type II (OCMC 17.50.030.B)	Type III / IV (OCMC 17.50.030.C)
☐ Compatibility Review	☐ Detailed Development Review	☐ Annexation
☐ Lot Line Adjustment	☐ Geotechnical Hazards	☒ Code Interpretation / Similar Use
☐ Non-Conforming Use Review	☐ Minor Partition (<4 lots)	☐ Concept Development Plan
☐ Natural Resource (NROD) Verification	☐ Minor Site Plan & Design Review	☐ Conditional Use
☐ Site Plan and Design Review	☐ Non-Conforming Use Review	☐ Comprehensive Plan Amendment (Text/Map)
☐ Extension of Approval	☐ Site Plan and Design Review	☐ Detailed Development Plan
	☐ Subdivision (4+ lots)	☐ Historic Review
	☐ Minor Variance	☐ Municipal Code Amendment
	☐ Natural Resource (NROD) Review	☐ Variance
		☐ Zone Change

File Number(s):_____

Proposed Land Use or Activity: Code Interpretation (Type III)

Project Name: Villages at Beavercreek

Physical Address of Site: 19896 Beavercreek Road, Oregon City, Oregon 97045

Clackamas County Map and Tax Lot Number(s): 3-2E-10C-00800

Applicant(s):

Applicant(s) Signature: _____

Applicant(s) Name Printed: Beavercreek Road LLC (~~c/o Andrew Brand~~ HANS CHRISTIANSEN) Date: 10/11/2019

Mailing Address: 600 University Street, Suite 1708, Seattle, WA 98101 Phone: (206) 535-6248 ext. 101

Email: andrew@evergreenhd.com

Property Owner(s):

Same as Applicant

Representative(s):

Representative(s) Signature: _____

Representative (s) Name Printed: Micheal M. Reeder, Attorney - Law Office of Mike Reeder

Date: October 11, 2019

Mailing Address: 375 W. 4th Ave., Suite 205, Eugene, Oregon 97401

Phone: (541) 225-8777 Email: mreeder@oregonlanduse.com

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.

CODE INTERPRETATION
TYPE III APPLICATION
WRITTEN NARRATIVE

October 11, 2019

APPLICANT:	Beavercreek Road, LLC Attn: Hans Christiansen 600 University Street, Suite 1708 Seattle, WA 98101
OWNER:	Same as Applicant
APPLICANT/OWNER REPRESENTATIVE:	Micheal M. Reeder, Attorney Law Office of Mike Reeder 375 W. 4th Ave., Suite 205 Eugene, OR 97401 (541) 225-8777 mreeder@oregonlanduse.com
REQUEST:	Code Interpretation (Type III process)
LOCATION:	19896 Beavercreek Rd., Oregon City, OR 97045 Clackamas County Map 3-2E-10C, Tax Lot 800
NEIGHBORHOOD ASSOCIATION:	Caufield Neighborhood Association

BEAVERCREEK ROAD, LLC
CODE INTERPRETATION
WRITTEN STATEMENT

October 11, 2019

A. Description of Subject Property

The property subject to this application is 9.7 acres and is identified as Clackamas County Map 3-2E-10C, Tax Lot 800. The subject property has been in the Urban Growth Boundary (UGB) since 1979 and was annexed into the City in 2007. The subject property is zoned MUC-1 and is located within the Caufield Neighborhood Association.

B. Procedural History

On March 4, 2015 the City approved a Site Plan and Design Review for 121-unit apartment complex and 59 Live-Work Units (the "Approval"). This limited land use decision was appealed to the Oregon Land Use Board of Appeals (LUBA). *Graser-Lindsay v. City of Oregon City*, 72 Or 25 (2015). LUBA affirmed the Approval on August 8, 2015. No further appeals were filed. According to the City, pursuant to *former* Oregon City Municipal Code (OCMC) Section 17.50.200.C, the date of final disposition of the case was August 27, 2015.

On April 27, 2015, the Applicant applied with the City to demolish a 1,200 square foot single-family dwelling and its 400 square foot garage. This demolition request was in anticipation of development of the subject property pursuant to the Approval. The request was made on the City's "Building Permit" application form. The demolition permit was issued on April 28, 2015, Permit No. BB-15-0154.

On May 8, 2017, the City approved a Type I extension of the Approval, extending the Approval timeframe to August 27, 2018.

On August 22, 2018 the City reinstated demolition permit (BB-15-0154), which was subsequently extended on October 7, 2019.

C. Code Interpretation Request

A Type II land use decision is void within two years of issuance unless an extension is obtained and/or a "building permit" has been issued. *Former* OCMC Section 17.50.200.A.[1] However, an appeal of the land use decision tolls this two-year time limitation.

The term "building permit" is not defined by the OCMC. However, it is the position of both the Applicant and City staff that a "demolition" permit is a "building" permit for purposes of the OCMC generally, and OCMC Section 17.50.200 specifically.

The Applicant hereby requests that the Planning Commission make the following determinations:

1. For purposes of OCMC 17.50.200, a "demolition" permit is a "building" permit,

2. That the demolition/building permit issued by the City as BB-15-0154 had the effect of vesting the Approval such that the Applicant, or a subsequent owner of the subject property, may obtain other building permits and any other necessary approvals to develop the subject property according to the Approval, and

3. Any building permits necessary to construct the project as provided in the Approval cannot be disturbed by subsequent changes to the Municipal Code or the Oregon Structural Specialty Code.

Attachments

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[1] It appears that Section 17.50.200 has since been modified to require action within three years of the date of the final decision.

ATTACHMENTS

Building Permit

CITY OF OREGON CITY

Permit #:	
Date:	Receipt:
Date:	Receipt:

TYPE OF WORK

☐ New construction	☑ Demolition
☐ Addition/alteration/replacement	☐ Other:

CATEGORY OF CONSTRUCTION

☑ 1- and 2-family dwelling	☐ Commercial/industrial
☐ Accessory building	☐ Multi-family

JOB SITE INFORMATION AND LOCATION

Job site address: 19896 Beavercreek Road

City/State/ZIP: **Oregon City, OR 97045**

Suite/bldg./apt. no.: | Project name:

Cross street/directions to job site:

Subdivision: | Lot no.:

Tax map/parcel no.: 3-2E-10C-00800

DESCRIPTION OF WORK

Demolition of an approximately 1,200 sqft single family home that has been abandoned for over 3 years. Demolition of an approximately 400 sqft garage building.

☑ PROPERTY OWNER | **☐ TENANT**

Name: Beavercreek Road LLC

Address: 600 University St, Ste 1708

City/State/ZIP: Seattle, WA 98101

Phone: ( ) 206-535-6248 x 101 | Fax: ( )

Owner Installation: This is being made on the property that I own, which is not intended for sale, lease, rent, or exchange.

Owner Signature:

☑ APPLICANT | **☐ CONTACT PERSON**

Business name: Beavercreek Road LLC

Contact name: Andrew Brand

Address: 600 University St, Ste 1708

City/State/ZIP: Seattle, WA 98101

Phone: ( ) 206-535-6248 x 101 | Fax: : ( )

E-mail: andrew@evergreenhd.com

CONTRACTOR

Business name: DBEC

Address: 15604 SE Ruby Dr

City/State/ZIP: Milwaukie, OR 97267

Phone: ( ) 503-652-0175 | Fax: ( )

CCB lic.: 150901

Authorized signature:

Print name: Andrew Brand | Date: 4/27/15

REQUIRED DATA: 1- AND 2-FAMILY DWELLING

Permit fees are based on the value of the work performed. Indicate the value (rounded to the nearest dollar) of all equipment, materials, labor, overhead, and the profit for the work indicated on this application.

Valuation $8,725

Number. of bedrooms: 2

Number of bathrooms: 1

Total number of floors: 1

New dwelling area: 0 square feet

Garage/carport area: 0 square feet

Covered porch area: 0 square feet

Deck area: 0 square feet

Other structure area: 0 square feet

REQUIRED DATA: COMMERCIAL-USE CHECKLIST

Permit fees are based on the value of the work performed. Indicate the value (rounded to the nearest dollar) of all equipment, materials, labor, overhead, and the profit for the work indicated on this application.

Valuation

Existing building area: square feet

New building area: square feet

Number of stories:

Type of construction:

Occupancy groups:

Existing:

New:

NOTICE

All contractors and subcontractors are required to be licensed with the Oregon Construction Contractors Board under ORS 701 and may be required to be licensed in the jurisdiction in which work is being performed. If the applicant is exempt from licensing, the following reasons apply:

BUILDING PERMIT FEES*

Please refer to fee schedule

Fees due upon application	
Amount received	
Date received:	

This permit application expires if a permit is not obtained within 180 days after it has been accepted as complete

City of Oregon City
PO Box 3040
698 Warner Parrott Road
Oregon City, Oregon 97045-0304

Permit

Permit NO.: **BB-15-0154** *Permit IVR Number:* **607229**
Permit Type: **Demolition**
Work Classification: **Residential**
Permit Status: **Issued**

Issue Date: 04/28/2015

Expiration: 02/25/2019

Location Address

19896 BEAVERCREEK RD, OREGON CITY , OR 97045

Parcel Number

3-2E-10C -00800

Contacts

BEAVERCREEK ROAD LLC **Owner** 601 Union ST 616, SEATTLE , WA 98101 (206)535-6248	DBEC **Contractor** (503)652-0175

Description: DEMOLITION OF AN APPROXIMATELY 1200 SQ FT SINGLE FAMILY HOME THAT HAS BEEN ABANDONED FOR OVER 3 YEARS. DEMOLITION OF AN APPROXIMATELY 400 SQ FT GARAGE BUILDING.

Valuation:	**$0.00**
Total Sq Feet:	**0.00**

Inspection Requests:
Inspection Line: 503-496-1551

Fees	Amount
4310 Building Permit by Value	$150.94
4322.1 Bldg State Surcharge	$18.11
Permit Reinstatement Due To Expiration	$180.00
State Surcharge - ReOpen (tax)	$21.60
Total:	**$370.65**

Payments	Amt Paid
Total Fees	**$370.65**
Cash	$18.11
Cash	$150.94
Credit Card	$201.60
Amount Due:	**$0.00**

Available Inspections:

Inspection Type	IVR
Final Demolition	922

Issued By:

April 28, 2015
Date

Permit Holder

Date

RECEIPT (REC-000761-2018)
FOR CITY OF OREGON CITY

BILLING CONTACT

BEAVERCREEK ROAD LLC
601 Union St, 616
Seattle, Wa 98101

OREGON CITY

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
BB-15-0154	Permit Reinstatement Due To Expiration	Fee Payment	Credit Card	$180.00
	State Surcharge - ReOpen (tax)	Fee Payment	Credit Card	$21.60
			SUB TOTAL	$201.60

TOTAL **$201.60**

COMMUNITY DEVELOPMENT
221 MOLALLA AVE
OREGON CITY, OR. 97045-3
503-722-3789

SALE

REF#: 00000001
Batch #: 647
08/23/18 07:42:41
APPR CODE: 087228
Trace: 1
VISA Manual CP
**********6896 **/**

AMOUNT **$201.60**

APPROVED

THANK YOU

CUSTOMER COPY

Building Permit Extension Request Form

City of Oregon City – Building Division

221 Molalla Ave Ste. 200 | Oregon City, Oregon 97045 | T 503-722-3789 F 503-722-3880

This form must be typed and submitted electronically to the Building Division at permits@orcity.org

Type of Work

☐ Residential ☐ Commercial / Industrial
☑ Demolition ☐ Other:

Permit Number: BB-15-0154

Date Received: 10/7/19

Received by:

Category of Submittal

☐ Structural ☐ Mechanical ☐ Plumbing
☐ Electrical ☑ Other:

Job Site Information and Location

Job Site Address 19896 Beavercreek Rd | Suite #

Oregon City, Oregon 97045

Project Name Villages at Beavercreek

Permit Currently Expired? ☐ Yes ☐ No

Reason For Requesting Extension

Demolition permit work was never finaled by our Demolition contractor.

Contact Person

Business Name: Beavercreek Road LLC

Contact Name: Hans Christiansen Evergreen Housing Development Group, LLC

Address: 601 Union Street, Suite 616

City / State / Zip Seattle, WA 98101

Phone #: 206-535-6248 Fax:

E mail: hans@evergreenhd.com

Authorized Signature: Andrew Brand, Executive Director of Development
Evergreen Housing Development Group, LLC
For: Beavercreek Road, LLC

For Official Use Only

Fees		Comments
Building		EXTENDED 180 DAYS NO ADDITIONAL EXTENSIONS WILL BE GRANTED
Date		

Building Official	Date	Approval
	10/7/19	☑ Yes ☐ No

10/7/2019

OREGON CITY

Community Development – Planning

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

CITY OF OREGON CITY - PLANNING DIVISION
NOTICE OF DECISION (NOD) MAILING LIST

DATE: November 14, 2014

FILE #: SP 14-01: Beavercreek Live-Work / Apartments

IN-HOUSE DISTRIBUTION

email

- ☑ BUILDING OFFICIAL
- ☑ ENGINEERING MANAGER
- ☑ CCFD#1
- ☑ PUBLIC WORKS DIRECTOR
- ☑ CITY ENGINEER
- ☐ TECHNICAL SERVICES (GIS)
- ☑ PARKS MANAGER
- ☐ ADDRESSING
- ☑ TRANSPORTATION CONSULTANT
- ☑ ENGINEERING CONSULANT

MAIL-OUT DISTRIBUTION

- ☑ APPLICANT(S) Email
- ☑ OWNER(S) Email
- ☐ REPRESENTATIVE(S)
- ☐ CICC
- ☑ NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR – CAUFIELD NA Email & Mail
- ☑ N.A. LAND USE CHAIR - CAUFIELD
- ☑ OC SCHOOL DISTRICT Email
- ☑ TRI-MET Email
- ☑ ODOT
- ☐ DLCD
- ☐ APPLICANT
- ☐ PROPERTY OWNER
- ☐ REPRESENTATIVE
- ☑ Clackamas County - Email

☑ PEOPLE WHO TESTIFIED OR WROTE IN

mailed

Ron and Wendy Carter
Caufield NA (See above) – Mike Mermelstein
Elizabeth Graser / Lindsay
Carina DeOliveira
Stephen Gufreda
Hamlet of Beavercreek
Christine Kosinski
Mary Johnson

Application Submitted: January 22, 2014
Application Complete: July 11, 2014
First Public Notice: July 24, 2014
Second Public Notice: October 17, 2014
Notice of Decision: November 14, 2014
120-Day Deadline: November 8, 2014
120-Day Deadline Extension: February 4, 2015

OREGON CITY

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EXHIBIT 1.

CONDITIONS OF APPROVAL
SP 14-01

Public Works / Engineering Development Services Division

1. The Applicant is responsible for this project's compliance with Engineering Policy 00-01, and for design of facilities in compliance with City design standards. The policy pertains to any land use decision requiring the Applicant to provide any public improvements. This includes attending a pre-design meeting with the City.

2. Prior to final plat approval, the Applicant shall sign a Non-Remonstrance Agreement for the purpose of making sanitary sewer, storm sewer, water and/or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement.

3. Prior to final construction plan approval, the Applicant shall provide an Erosion Prevention and Sedimentation Control Plan suitable to the Public Works Department to meet the Public Works requirements for erosion control. The Applicant shall provide a Preliminary Grading Plan to the City for review prior to the approval of construction plans. A final site Grading Plan shall be required as part of the final construction plans per the City's Grading Criteria and the International Building Code. If significant grading is required due to its location or the nature of the site, rough grading shall be required of the developer prior to the acceptance of the public improvements. There shall not be more than a maximum grade differential of two (2) feet at all site boundaries. Grading shall in no way create any water traps, or other ponding situations. Prior to final construction plan approval, provide final geotechnical report.

4. The water system shall consist of a master meter assembly owned by CRW capable of accurately providing and metering domestic and fire flow quantities. Following the master meter the distribution system shall be constructed as a standard City system with main lines, services, meters and fire hydrants. The water distribution system shall be designed to meet City design standards.

5. The proposed water line within the easement in the alley loops behind buildings A1 and A3 shall be deleted, and all the water services to the buildings fronting Beavercreek Road shall be from the proposed new water line in Beavercreek Road.

6. All water services shall comply with the City's standards for backflow prevention, including the larger buildings, community center and pool shall have appropriate back flow prevention devices on the water services.

7. Water service for the proposed development shall be provided by the City through a master meter owned by CRW. The specific terms and provisions for water service shall be provided through an intergovernmental agreement (IGA) between the City and CRW. Requirements for water service include:

    a. Prior to submitting construction plans to the City, an IGA between the City and CRW providing the terms and provisions for water service to the development must be executed.

    b. Prior to construction plan approval and after the execution of the proposed IGA, the applicant shall receive CRW's written approval of design plans and specifications for the water facilities agreed upon through the IGA.

c. The applicant shall be responsible for all costs associated with the design and construction of a water line and meter sized to meter domestic and fire flows. The cost would include hydraulic modeling by CRW as well as review and inspection.

d. Once constructed and accepted the water distribution system would be donated to the City to be maintained and operated.

e. The master meter and vault assembly would be donated to CRW to be operated and maintained.

8. Prior to construction plan approval, the Applicant shall submit the proposed development plans to Clackamas County Fire District No. 1 for review and incorporate all Fire District requirements in the construction plans as applicable, and prior to final plat approval the Applicant shall install any required fire hydrants. (Clackamas Fire District #1)

9. The sanitary sewer collection system shall be designed to meet City design standards.

10. The proposed 8-inch sanitary sewer line within the easement in the alley loops behind buildings A1 and A3 shall be deleted, and relocated to Beavercreek Road. All the services to the buildings fronting Beavercreek Road shall be from the proposed new sanitary sewer line in Beavercreek Road. This pipe shall be designed with consideration for connection to a future 15-inch pipe in Beavercreek Road to allow for future transfer to the Beavercreek basin.

11. A final stormwater drainage report which reflects the final design shall be completed and submitted. The final report shall address downstream impacts in more detail taking into account the change in discharge location. The final report shall also reflect the final site plan, potential for over-detention and potential changes to the storm facilities on Beavercreek Road.

12. The applicant shall sign a standard "Maintenance Covenant and Access Easement". The developer will be responsible for operating and maintaining the private stormwater facilities including collection piping, detention and treatment facilities. The City will be given access to inspect the storm water facilities, and require maintenance and/or repairs be done.

13. Treatment of stormwater runoff from the two private parking lots (behind buildings A2 and A3) shall be required prior to discharge into the public storm system. This could be in the form of LID methods or a cartridge filter.

14. Stormwater treatment is not provided for Meyers Road. The applicant will need to provide treatment such as an LID method prior to discharge to the public system. This would be consistent with the Beavercreek Concept Plan. (DS)

15. The applicant has indicated that they may construct a stormwater swale along Beavercreek Road located between the proposed on-street parking and sidewalk. This will cause people to either walk through the stormwater swale or on Beavercreek Road until they can access a crosswalk. The applicant will need to address this issue through modifying the swale design to incorporate pedestrian egress zone with sidewalk connectors across the stormwater swale. If stormwater swales are not constructed, , the applicant shall meet the requirements of providing stormwater detention and treatment through the other proposed stormwater facilities and over detention within the proposed stormwater pond as may be determined through the final stormwater management plan.

16. The final solution for the storm water facilities on Beavercreek Road shall be coordinated with the City and the County. Drainage facilities shall be in conformance Tri-City Service District #4 regulations and Clackamas Roadway Standards, Chapter 4 . Any surface water runoff from the site to the Beavercreek Road right-of-way shall be detained outside of the right-of-way in conformance with Clackamas Roadway Standards. Any surface water runoff discharged to the Beavercreek Road right-of-way will only be allowed if it can be shown that the existing system has the capacity to accept the runoff and no adverse downstream impacts will be created.

17. Ten-foot public utility easements along all street frontages and all easements required for the final engineering plans shall be dedicated to the public on the final plat. All existing and proposed utilities and easements shall be indicated on the construction plans. Any off-site utility easements required for this

project, such as for work on the storm outfall, shall be obtained and submitted to the City prior to approval of the construction plans.

18. Street "A" and Street "B" shall be local streets that are similar to the Beavercreek Road Concept Plan for a neighborhood "greenstreet". There shall be a 62-foot right-of-way dedication.

19. The street section for Street "A" and "B" shall include, but is not to be limited to, base rock, paved street width of 40-foot of pavement, curb and gutter, a 5.5-foot planter strip and a 5-foot sidewalk, curb return radii, curb (handicap) ramps, centerline monumentation in monument boxes, traffic control devices, street trees, and street lights. There shall be parallel parking on both sides of the street. There shall also be curb extensions at the street intersections.

20. Mid-block curb extensions will not be allowed. The applicant shall provide revised plans for the re-configuration, re-location or elimination of the 90-degree parking spaces.

21. The western end of the public portion of Street "B" shall be at the "T" with the two alley loops. The two alley loop shall be private, and shall have public access easements over them.

22. Meyers Road shall be minor arterial constructed similar to the Beavercreek Road Concept Plan for a collector "greenstreet". There shall be an 86-foot right-of-way dedication.

23. Meyers Road shall include, but is not to be limited to, base rock, paved street width of 64-foot of pavement, curb and gutter, a 7.5-foot planter strip and a 5-foot sidewalk, curb return radii, curb (handicap) ramps, centerline monumentation in monument boxes, traffic control devices, stripping, street trees, and street lights. There shall be parallel parking on both sides of the street, and bike lanes.

24. Beavercreek Road shall be major arterial constructed similar to the Beavercreek Road Concept Plan. There shall be a 92-foot right-of-way. The right-of-way dedication shall be sufficient to provide 47-feet of ROW from the centerline on the easterly side of the road (the side where the proposed development is located).

25. Beavercreek Road shall include, but is not to be limited to, base rock, paved street width of 32-foot of pavement from centerline (8-foot interim planting area, 6-foot bike lane, 12-foot travel lane and half of the 12-foot turning lane), curb and gutter, a 7.5-foot storm swale/planter strip and a 7-foot sidewalk, curb return radii, curb (handicap) ramps and end of sidewalk ramps, centerline monumentation in monument boxes, traffic control devices, stripping, street trees, and street lights. Appropriate pavement tapers shall be provided, per Clackamas County Roadway Standards Section 250.6.4. There shall be an 8-foot interim planting area.

26. At the intersection of Beavercreek Road and Meyers Road there shall be two travel lanes and one turn lane on both streets.

27. Beavercreek Road is Clackamas County jurisdictional right-of-way; final street improvements on Beavercreek Road shall be in compliance with Clackamas County Roadway Standards. (DS)

28. The applicant shall provide access control strips across the ends of Meyers Road, Street "A" and Street "B" where they stop at the edge of the development.

29. The sidewalk that connects Street "B" to Beavercreek Road shall be in a 15-foot wide public access easement.

30. The driveway entrances to the four private parking lots shall be designed for two way traffic, and shall be a minimum of 24-feet wide.

31. The driveway entrance on Meyers Road shall be approximately 240 feet from the intersection of Beavercreek Road. The driveway entrance on Street "A" shall be approximately 100 feet from the intersection of Meyers Road. The two driveway entrances on Street "B" shall be approximately 160 feet from the intersection of Street "A".

32. The intersection angle between Meyers Road and Beavercreek Road shall be 80 degrees. (DS)

33. Where pavement cuts are made in existing streets for the installation of improvements, the restoration shall be done in accordance with the City of Oregon City Pavement Cut Standards, or Clackamas County standards in County ROW's.

34. The applicant shall provide 8-inch sanitary sewer collection system in the existing and future public right-of-way with the connection to the existing collection system at the manhole located in Meyers Road at Emerson Court. A short section of the collection system shall be located in a 15-foot wide public easement that extends from the western end of "B" Street to the Beavercreek Road ROW.

35. The applicant shall refer to the City's standard for typical utility placement within the public street section for location of underground utilities.

36. The applicant shall pay a fee-in-lieu for an 8-inch pipe along the northerly frontage of the development on Beavercreek Road (from the northerly development boundary to Meyers Road). This fee-in-lieu shall be based upon costs for design and construction for a public agency construction project. An estimate of this cost shall be provided to the City for review and approval.

37. The applicant shall pay fee-in-lieu of downstream improvements in the Glen Oak Basin required due to the cross basin connection. The amount of the fee-in-lieu shall be $545,000 in accordance with the documentation provided in the "Public Works Engineering File Memorandum" (November 5, 2014).

38. The new water system shall include a minimum 12-inch main in Beavercreek Road from Glen Oak Road at the proposed master meter to Meyers Road, and 8-inch water mains throughout the site. The system shall be designed to loop the water lines as much as possible.

39. The new water lines shall be located within public right-of-way to the maximum extent possible. From the westerly end of proposed street "B" to the ROW of Beavercreek Road there shall be a 15-foot wide easement for water line.

40. A signal modification for the Beavercreek/Meyers signal shall be approved by Clackamas County Traffic Engineering, including signal pole locations, lane configuration, signal detection and signal phasing. The applicant shall also provide queuing estimates for the Beavercreek/Meyers intersection prior to the approval of the improvement plans.

41. The applicant shall provide funds to construct school zone flashers on Beavercreek Road to replace the existing school speed zone signs in the vicinity of the project site.

42. The applicant shall provide minimum intersection sight distance at the intersection of the new Meyers Road intersection with Beavercreek Road. In addition, no plantings at maturity, retaining walls, embankments, fences or any other objects shall be allowed to obstruct vehicular sight distance. Minimum sight distance is 500 feet in each direction. Sight distance shall be measured from a point 14.5 feet back from the edge of the travel lane at a driver's eye height in the driveway of 3.5 feet to a vehicle height of 3.5 feet in the oncoming travel lanes. The applicant shall demonstrate sight lines and compliance with minimum intersection sight distance as part of the Development Permit for the project.

43. The applicant shall submit an Engineer's cost estimate to be approved by Clackamas County Engineering for the asphalt concrete, aggregates, and any other required public improvement in the Beavercreek Road right-of-way.

44. Prior to commencement of site work the applicant shall obtain a Development Permit from Clackamas County for design and construction of required improvements to Beavercreek Road. To obtain the Permit, the applicant shall submit plans prepared and stamped by an Engineer registered in the State of Oregon, provide a Performance Guarantee, and pay an Inspection Fee. The Performance Guarantee is 125% of the approved Engineer's cost estimate for the required improvements.

45. Prior to commencement of utility work within the Beavercreek Road right-of-way a Utility Placement Permit shall be obtained from the Clackamas County.

46. Prior to commencement of any work, including grading, and prior to issuance of the Clackamas County Development and Utility Placement permits, the contractor shall: Provide a traffic control plan for review and approval from Clackamas County's Engineering Office. Provide a certificate of liability insurance,

naming the County as additionally insured. Obtain separate "Street Opening Permits" for utility installations within the County right-of-way. The applicant shall obtain these permits from the Engineering office prior to the issuance of the Development Permit.

47. The applicant shall pay a fee-in-lieu of improvements for the proportional share, 14 percent, of costs to construct the right-turn lane from Meyers Road to northbound OR213. The fee-in-lieu amount is $50,400.

Community Development / Planning Division

1. Prior to issuance of building permits, the applicant shall include the details indicating the required number and extent of pedestrian amenities within the pedestrian amenity areas required by OCMC 17.62.055.D in front of all buildings on the applicable site plan sets (landscaping, etc.).
2. The applicant proposed to name the two new public cross streets at a later time. Those names will comply with the City's adopted street naming policy.
3. Street tree species shall be selected from the adopted Oregon City Street Tree List or as recommended by a Certified Arborist or Landscape Architect and shall be planted in accordance with Chapter 12.08 to promote and maintain the community tree canopy adjacent to public streets. Revised and Final street tree plans shall be submitted for review at the time of construction plan review by the City Engineer (Revised Street Tree Plan) and following approval of Construction Documents by the City Engineer (Final Street Tree Plan).
4. Prior to issuance of building permits, the applicant shall provide a revised plan set indicating common pedestrian path connections in the areas described in the bullet points below in order to provide safe and convenient pedestrian access throughout the site, with concurrent revisions to landscaping and civil plan sets.
   - The large landscaped island situated between Buildings A3 and T2 - there is no common pedestrian path connection to Beavercreek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
   - The large landscaped island situated between Buildings A1 and T7 - there is no common pedestrian path connection to Beavercreek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
   - Between Buildings T6 and T7 - there is no common pedestrian path connection to Beavercreek Road in this location;
   - Between Buildings T1 and T2 – there is no common pedestrian path connection to Beavercreek Road in this location.
5. Prior to issuance of building permits, the applicant shall provide revised plans for a public pedestrian accessway to connect the dead-end Street B with the public sidewalk along Beavercreek Road. The public pedestrian accessway in this location shall be designed in accordance with the standards A-K of OCMC section 12.04.199 and shall be completed with the public streets prior to issuance of any building permit for the property.
6. Prior to issuance of a building permits, the applicant shall confirm to the satisfaction of the Planning Director that screening of mechanical equipment conforms as the applicant has proposed. Revised or supplemental plans indicating the appropriate screening shall be submitted if required by the Planning Director.
7. Prior to issuance of building permits the applicant shall submit revised plans that provide a minimum of three amenities selected from list D1 of section 17.62.055D for the pedestrian amenity area at the northern corner of Building A1 where the setback exceeds twenty feet. Below in this area on the revised building plans prior to issuance of a building permit.
8. Prior to issuance of a certificate of occupancy for any of the live-work units, the applicant shall record a deed restriction or other document prepared for approval by the City Attorney that includes the applicable restrictions of section 17.54.105.F.(1-4) which shall be recorded with the County Recorder's

office. Said document shall bind the owner, heirs and assigns in perpetuity unless extinguished with prior approval of the Oregon City Community Development Director.

9. Prior to issuance of a building permit for any building on the site, the applicant shall provide structural and architectural details on the submitted building permit application and plan set, to demonstrate to the satisfaction of the Oregon City Building Official and Planning Director that proposed window designs on all facades meet the minimum distance of 2" recess or projection from the building facades as required by OCMC section 17.62.057(L) – Window Design.

10. Prior to issuance of a certificate of occupancy the applicant shall provide a revised lighting plan that shows how the pedestrian circulation system, including the pedestrian accessways, will be adequately illuminated pursuant to OCMC 17.62.065 D.7 and Table 1-17.62.065.

11. Prior to issuance of building permits, the applicant shall provide a revised parking plan that identifies the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking.

12. The applicant's transportation engineer shall provide an analysis and explanation showing that the proposed configuration is safe and does not create unsafe maneuvering conditions in the public right-of-way, otherwise the applicant shall provide revised plans for the re-configuration, re-location of elimination of the 90-degree parking spaces.

13. Should performance guarantees be required in order to assure completion of specific site improvements prior to issuance of a certificate of occupancy the applicant shall provide such guarantees in a form approved by the city attorney.

14. Applicant shall provide revised landscaping plans indicating the location, size and type of mitigation trees on a revised landscaping plan prior to issuance of a final certificate of occupancy for the site. All mitigation trees shall be identified separately from and in addition to any standard required landscaping trees required under Chapter 17.62, street trees required under Chapter 12.08, and parking lot trees required under Chapter 17.52.

Community Development – Planning

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

TYPE II LIMITED LAND USE DECISION
Staff Report and Conditions of Approval
November 14, 2014

FILE NO.:	SP 14-01: Site Plan and Design Review
APPLICATION TYPE:	Type II
APPLICANT:	Beavercreek Road, LLC, Attn: Andrew Brand 600 University Street, Ste. 1708, Seattle, WA 98101
OWNER/ REPRESENTATIVE:	SAME AS APPLICANT
REQUEST:	Site Plan and Design Review for a 121-unit Apartment complex and 59 Live-Work Units on 9.7 acres (Zoned MUC-1)
LOCATION:	19896 Beavercreek Rd, Oregon City OR 97045 Clackamas County Map 3-2E-10C Tax Lot 800
NEIGHBORHOOD ASSOC:	Caufield N.A.
REVIEWERS:	Tony Konkol, Community Development Director Pete Walter, AICP, Associate Planner Aleta Froman-Goodrich, P.E., City Engineer Todd Martinez, P.E., Development Services Project Engineer
DECISION:	APPROVAL WITH CONDITIONS (See Exhibit 1)

The decision of the Community Development Director is final unless appealed to the City Commission within fourteen (14) days following the mailing of this notice. 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 and include partitions, preliminary subdivision plats, site plan and design review. Notice of application and an invitation to comment was mailed to the applicant, recognized neighborhood association and property owners within three hundred feet. The Community Development Director accepted comments for fourteen days and has reached this decision. The Community Development Director's decision is appealable to the city commission with notice to the planning commission, by any party with standing (i.e., applicant and any party who submitted comments during the fourteen-day period). The city commission decision 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.
IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 722-3789.

DECISION CRITERIA – OREGON CITY MUNICIPAL CODE:

- The City Code Book is available on-line at www.orcity.org
- Administration and Procedures in Chapter 17.50;
- "MUC-1" – Mixed Use Corridor District in Chapter 17.29;
- Streets, Sidewalks and Public Places in Chapter 12.04;
- Public and Street Trees in Chapter 12.08;
- Site Plan and Design Review in Chapter 17.62;
- Multi-Family Design Standards in Section 17.62.057;
- Supplementary Zoning Regulations (Live-Work Units) in Section 17.54;
- Water Service System in Chapter 13.04;
- Sewer Regulation in Chapter 13.08;
- Stormwater Management in Chapter 13.12;
- Off-Street Parking and Loading in Chapter 17.52

I. BASIC FACTS

1. Project Overview.

The proposed project is a combination of 121 rental apartments and 59 live-work units that form a village concept. The site is a cornerstone for possible future expansion of currently un-zoned land around it. This un-zoned land is in the Beavercreek Road Concept Plan area currently under consideration for approval by Oregon City. The proposed community's mix of live-work ground floor commercial and regular apartments provides opportunities for meeting the Mixed Use Corridor base zoning of the site while also meeting the intent of the un-adopted Beavercreek Road Concept Plan – Mixed Employment Village.

2. Long Range Planning and Public Facility Plans

Oregon City Comprehensive Plan

The Goals and Policies of the Oregon City Comprehensive Plan guided the annexation of the subject property in 2006, and the re-zoning of the property to MUC-1 in 2010. The parcel has a Comprehensive Plan designation of MUC - Mixed Use Corridor.

Annexation

The subject site was annexed to Oregon City in 2007:

- Oregon City Planning File AN 07-02 (Exhibit 7)
- City Ord. # 1021 (Exhibit 7a)
- Metro File CL 1807 (Exhibit 7b)

BRCP – Beavercreek Road Concept Plan

The subject site is within the Beavercreek Road Concept Plan boundary. The formal land use record for the City's annexation of the property in 2007 and later rezoning to MUC-1 in 2010 include findings for conformance with the BRCP.

The property forms part of the Mixed Employment Village described in the BRCP. The application includes a detailed description of how the applicant's development proposal for inclusion of Live-Work Units meets the intent of the BRCP (Exhibit 2.a.vi).

Rezoning – 2010 (Planning file ZC 10-01)

The subject site was rezoned from FU-10 to MUC-1 in 2010. The City's decision to rezone the parcel was premised on the fact that the site was within the original Oregon City Urban Growth Boundary,

and was an integral parcel of land within the Beavercreek Road Concept Plan area, however, was not subject to a concept plan requirement prior to development. In order to assure that the future development of the site would meet the overall intent of the Beavercreek Road Concept Plan – Mixed Employment Village, irrespective of whether the final BRCP was adopted at the time of development proposal, the City Commission attached seven (7) Conditions of Approval to the rezoning (See Exhibit 8c). Conditions of Approval 1, 2, 3, 4, and particularly 6 and 7 are applicable to the proposed project.

Conditions of Approval 6 and 7 of the decision for ZC 10-01 require that the future development be consistent with the BRCP Mixed Employment Village design objectives to "provide retail, office, civic and residential uses in an urban, pedestrian friendly and mixed use setting that is transit supportive in its use, density and design", as well as a minimum Floor Area Ratio of .25 and a minimum building height of thirty-four feet (34') tall.

The City Commission rezoned the subject property to MUC-1 in 2010 by approval of Ordinance 10-1012. This rezoning was acknowledged by DLCD and was not appealed to LUBA. Ordinance 10-1012, attached as Exhibit 8a, included the following points:

- The zone change from FU-10 District to MUC-1 is for a property that is has been located within the City's Urban Growth Boundary since 1979;
- The MUC-1 Zone meets the intent of the Comprehensive Plan Policies for mixed-use development, housing choices and increased density near activity centers and along the Beavercreek Road corridor; and
- The subject property is not within the Metro Urban Growth Functional Management Plan Title 4 (Industrial and Employment Land) area that has been slated for re-designation out of Title 4 land on Metro's Urban Design Type Map; and therefore the City need not wait for the Title 4 map change before proceeding with the rezoning;

The rezoning to MUC-1 was formally acknowledged by DLCD through DLCD Adoption Notice 02-0010 on 11/03/2010 (Exhibit 8b).

Public Facilities Plans

SSMP – Sanitary Sewer Master Plan
A detailed discussion by the City Engineer regarding the application of the 2003 and 2014 updates of the Sanitary Sewer Master Plan is provided in Exhibit 6b.

WMP – Water Master Plan
A detailed discussion by the City Engineer regarding the application of the 2012 Water Master Plan is provided in Exhibit 6b.

Stormwater and Grading Standards
The application is subject to the City's adopted standards for stormwater drainage and grading, including but not limited to OCMC 13.12 *Stormwater Drainage*, OCMC 15.48 *Grading Filling and Excavating* and the *Stormwater and Grading Design Standards*

TSP – Transportation System Plan
The 2013 Oregon City Transportation System Plan indicates the following for the property and proposed projects for transportation improvements:

Roadway Existing Condition:
The road section abutting the property is posted 40-mph, with a 20-mph school zone at Oregon City High School.
3-lane Arterial Road w/ center turn pockets, 6-ft bicycle lane both sides
Oregon City Functional Classification: Major Arterial (Urban)
Ownership: Clackamas County
Clackamas County Classification: Arterial

Future Section (Oregon City) per OCMC 12.04:
Oregon City requires that Major Arterial roadways abutting land zoned for Mixed Use provide for a Right-of-Way width of 116 ft., a pavement width of 94 ft., a public access strip of 0.5 ft., a 10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells, a 6 ft. bicycle lane, an 8 ft. parking lane, (5) 12 ft. travel lanes, and a median width of 6 ft.
The above dimensions in the code are considered minimum requirements unless modified through the land use process for concurrence with an adopted plan, such as the Beavercreek Road Concept Plan.

The following TSP projects are identified for the subject property:

<u>Project D47:</u>
Project Type: Driving Solution (Street Extension)
Description: Meyers Road East extension
Extent: Beavercreek Road to Meadow Lane Extension
Funding: Likely
Priority: Medium-term
Est. Cost: $2,210,000
(100% SDS eligible)
The Applicant has proposed to construct this improvement abutting their property.

<u>Project D26:</u>
Project Type: Driving Solution (Intersection and Street Management)
Description: Beavercreek Road School Zone Flashers
Extent: Beavercreek Road south of Loder Road and north of Glen Oak Road
Funding: Not Likely
Priority: Long-term Phase 4
Est. Cost: $9,000
Clackamas County has requested that the Applicant construct this improvement through a Condition of Approval (See Exhibit 1).

<u>Project D82:</u>
Project Type: Driving Solution (Street and Intersection Expansion)
Description: Beavercreek Road Upgrade
Extent: Meyers Road to UGB
Funding: Likely Priority: Long-term
Est. Cost: $1,745,000
The Applicant has proposed to construct this improvement abutting their property.

<u>Project D81:</u>
Project Type: Driving Solution (Street and Intersection Expansion)
Description: Beavercreek Road Upgrade

Extent: Clairmont Drive (CCC Entrance) to Meyers Road
Funding: Likely Priority: Medium-term
Est. Cost: $1,350,000
The Applicant has proposed to construct this improvement abutting their property.

3. Overlay District Zoning.
The subject site is not indicated within any Oregon City overlay districts. Oregon City Overlay Districts are in compliance with Metro Code and Oregon State Law.

4. Surrounding Zoning and Land Use.
The zoning and existing land uses of the subject site and surrounding properties are as follows:

Parcel	Address	APN	Comp Plan.	Zoning	Land Use
Site	19896 Beavercreek Rd	3-2E-10C -00800	MUC	MUC-1	SFR*
North	19788 Beavercreek Rd	3-2E-10C -00802	FU-10	County RRFF-5	SFR
North	No Situs	3-2E-10C -00500	FU-10	County RRFF-5	Vacant Field
East	No Situs	3-2E-10C -00801	FU-10	County RRFF-5	Vacant Field
South	20110 Beavercreek Road	3-2E-10C -01228	FU-10	County FU-10	Vacant / Hangars
Across Beavercreek Road					
Northwest	19761 Beavercreek Rd	3-2E-09D -01300	LR	R-8	High School
West	15041 Emerson Ct	3-2E-09DD-00100	LR	R-6	SFR
	15040 Emerson Ct	3-2E-09DD-03200	LR	R-6	SFR
	19871 Beavercreek Rd	3-2E-10CC-00100	MR	R-3.5	SFR
	19893 Beavercreek Rd	3-2E-10CC-00400	MR	R-3.5	SFR
	19913 Beavercreek Rd	3-2E-10CC-00300	MR	R-3.5	SFR

* SFR = Single Family Residential Use

5. Public Notice and Comments.
The application was publicly noticed twice, once for the initial application and a second time due to the addition of new application materials. The contents of the first and second applications are attached as Exhibits 2a and 2b.

First Public Notice – July 24th, 2014
For the first public notice, the application, notice and a request to comment was sent via email to various City departments, the Caufield Neighborhood Association, Clackamas County CPO's (Community Planning Organizations), affected agencies and property owners within 300 feet of the property on July 24, 2014. The subject property was posted with signs from July 28, 2014 to August 11, 2014 notifying the public of the land use action on the property and requesting comments.

Second Public Notice – October 17, 2014

For the second public notice, the revised application materials, notice and a request to comment was sent via email to various City departments, the Caufield Neighborhood Association, Clackamas County CPO's (Community Planning Organizations), affected agencies and property owners within 300 feet of the property on October 17, 2014. The subject property was posted with signs from October 17, 2014 to October 31, 2014 notifying the public of the land use action on the property and requesting comments.

Full public comments are provided in Exhibit 4, and a summary of the comments and how they are addressed is provided in the following table:

First Public Comment Period		
Commenter	**Issue (s)**	**Applicable Code / How Addressed in Report**
Ron and Wendy Carter	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180
	Will widening occur? Will there be a turn lane?	ROW dedication and street improvements will meet City and County requirements. See 12.04.170-.180
	Live-Work on-street parking	Parking exceeds minimum requirements. See section 17.52
	Guest parking	See above
	Privacy / Noise	Nuisance Code issues are resolved through Code Enforcement
	Water Pressure to existing residences	Water service and pressure findings and conditions of approval have been addressed in 17.62.050.A.(14)
Caufield NA	Airport safety due to proximity of airfield	Not an approval criterion. No comments received from Airfield owner
	Lack of industrial use	Use conforms to permitted uses in MUC-1 zone. See 17.29 / "Background", Page II
	Over 800 vehicles / lack of parking / blocking mail boxes / driveways	See 17.52 - parking is adequate
	Residents will park at high school	Parking exceeds minimum requirements. See section 17.52
	"No Plans" to widen Beavercreek Road to 4 lanes	ROW dedication and improvements will meet city and County standards. See 12.04 / Clackamas County comments
	Sewer connection	Sanitary sewer service will meet city standards as conditioned. See 17.62.050.A.(14)
	Plan does not meet Beavercreek Road Concept Plan	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP
Graser / Lindsay	Beavercreek Road Concept Plan not adopted	BRCP is not adopted and does not apply. Conditions to the zone change required compliance with MEV standards.
	Intersection "Failures"	12.04.205 / Exempt from mobility standards are specified intersections
	Metro Concept	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP
	Density / Dense Urban Neighborhood needs transit	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP, and is transit supportive.
	Piecemeal Development	17.62.050.A.(14). Applicant has no control over adjacent parcels, public facilities can be provided in a timely manner as conditioned.

	Sewer, Water availability / deficiency	17.62.050.A.(14). Public facilities can be provided in without impacting existing users as conditioned.
	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
	On-street parking	Parking exceeds minimum requirements. See section 17.52
	Sewer pipe	See findings under 17.62.050.A.(14)
	Beavercreek Road Concept Plan	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP
Oliveira	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
	Not industrial	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP
	No signal at Glen Oak / Beavercreek Road	County signal warrants must be met
Gufreda	Existing infrastructure impacts	See 17.62.050.A.(14), (15)
	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
	Sewer overloads	Sewer will not exceed capacity. See 17.62.050.A.(14)
	Pedestrian safety	Pedestrian facilities will be improved and provided. Throughout site and abutting streets. See 12.04 / 17.62.050.A.(8)
	Police	Police Fee $3,500 / unit per Annexation Agreement
	Not compatible with Rural Nature	Property is within city limit and UGB and is zoned MUC-1, not open space.
Hamlet of Beavercreek	Not notified	All noticing requirements have been met. See 17.50.055, .100, .110 / Courtesy Noticing to CPOs
	Parking on arterial	On-street parking on Beavercreek Rd is not permitted at this time. Parking exceeds minimum requirements. See section 17.52
	Emergency Services response time	CCFD#1 Comments, Annexation Police Fee. No conflicts from CCFD#1 or OCPD.
	Traffic counts are incorrect	12.04.205, TIA follows Adopted Guidelines for Traffic Impact Analysis,
	"narrowing arterial" to accommodate sidewalks, etc.	Street Improvements and widening addressed in 12.04.170, 12.04.180
	insufficient parking	Parking exceeds minimum requirements. See section 17.52
	Impacts to existing failed intersections	12.04.205 / Exempt from mobility standards are specified intersections
	Proportional share for WB right turn lane at 213.	See 12.04.215, Engineering Condition of Approval #47
	"Skew" (Intersection Angle) of Meyer's Road with Beavercreek	12.04.210 / 80 degree angle meets code and safety requirements for signalized intersection.
	financial concerns of applicant	Not a Land Use approval Criterion
	WB right turn lane cost	12.04.215 - Off-Site Street Improvements / Condition of Approval #

	Hamlet of Beavercreek not invited to staff meetings	Staff review meetings are not public hearings
Kosinski	Landslides	Not in Geologic Hazard Overlay District
	Noticing	All noticing requirements have been met or exceeded, see 17.50.055, .100, .110 / Courtesy Noticing to CPOs
	Holly Lane Impacts	See TIA and findings in Chapter 12.04. Development will not connect to Holly Lane
Second Public Comment Period		
Graser-Lindsay	Traffic Count tubes improperly placed	Not an approval criterion
	Impacts on transportation system	12.04 / 17.62.050.A.(15)
	Water service from CRW piecemeal	17.62.050.A.(14)
	CRW ratepayers	See water system findings. 17.62.050.A.(14). The effect on CRW ratepayers would be a consideration of the CRW Board and is not an Oregon City land use approval criterion.
	Sewer	17.62.050.A.(14). Public facilities can be provided in without impacting existing users as conditioned.
	Fire Dept.	CCFD#1 comments provided. No conflicts.
	Police	No conflicts from OCPD / Police Fee $3,500 / unit
	Incomplete	17.50.080 / Application is complete
Hamlet of Beavercreek	Requests additional comment period	See 17.50.055, .100, .110 / Courtesy Noticing to CPOs
	Safety / Bus Barn / Transportation	12.04 / 17.62.050.A.(15). There is no requirement for distinct property owners to combine applications as a master plan. TIA preparation procedures require review of existing and proposed developments.
	Fire Response time	CCFD#1 comments provided. No conflicts.
	Widening	See 12.04.170-.180
	Vehicle Counts understated	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
	Should be master planned w/ bus barn	Not zoned CI and is not an Institutional Development - No requirement to Master Plan. TIA preparation procedures require review of existing and proposed developments.
	Water service	See Water System Analysis. 17.62.050.A.(14)
	Contrary to LUBA final opinion that concept plan precede development	No such requirement for this parcel. Conditions of Ord. 10-1002 / Zone Change allow development prior to adoption
Kosinski	Transportation underfunded	12.04 / 17.62.050.A.(15) / developer required to install transportation infrastructure
	Pedestrian Safety crossing to HS / College	Pedestrian facilities will be improved and provided. Throughout site and abutting streets. See 12.04 / 17.62.050.A.(8). School Zone flashers to be installed.
	Outreach	All noticing requirements have been met or exceeded, see 17.50.055, .100, .110 / Courtesy Noticing to CPOs

	Contrary to LUBA final opinion that concept plan precede development	No such requirement for this parcel. Conditions of Ord. 10-1002 / Zone Change allow development prior to adoption
	ADT too low	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
	Plan w/ bus barn	Not zoned CI and is not an Institutional Development - No requirement to Master Plan. TIA preparation procedures require review of existing and proposed developments.
	Landslides on Holly Lane	Site is not in Geologic Hazard Overlay - Not applicable
	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
Mary Johnson	Sewer	Sanitary sewer service will meet city standards as conditioned. See 17.62.050.A.(14)
Ron and Wendy Carter	Traffic / Parking / Privacy / Water Pressure	See applicable issue as addressed above

None of the public comments submitted indicate that an approval criterion has not been met or cannot be met through the Conditions of Approval attached to this Limited Land Use decision in Exhibit 1.

6. Agency Comments.

Clackamas River Water – (CRW) submitted comments (Exhibit 5a) regarding the proposed interim water service to the property by CRW. These comments have been addressed where applicable in the staff report and Conditions of Approval (Exhibit 1).

Clackamas Fire District submitted comments (Exhibit 5b), detailing fire district apparatus access and water supply requirements. These comments have been addressed where applicable in the staff report and Conditions of Approval (Exhibit 1).

Clackamas County Dept. of Transportation submitted comments (Exhibit 5c) and recommended conditions of approval regarding Beavercreek Road improvements, which are under County jurisdiction. These comments have been addressed where applicable in the staff report and Conditions of Approval (Exhibit 1).

Oregon Department of Transportation – ODOT submitted comments (Exhibit 5d) regarding off-site improvements needed to mitigate impacts on two intersections affected by the development, the Meyer's Road WB Extension where it will intersect with OR 213, and the OR 213 / Beavercreek Road Intersection. These comments have been addressed where applicable in the staff report and Conditions of Approval (Exhibit 1).

Tri-Met submitted comments (Exhibit 5e) indicating that the Tri-Met Service Development Manager and coordinator of the Southeast Service Enhancement Plan reviewed the plans, and that Tri-Met have no firm plans to run service along Beavercreek Road at this time. They did not indicate any conflicts with the application.

II. OREGON CITY MUNICIPAL CODE (OCMC) CODE CRITERIA:

CHAPTER 17.50 - ADMINISTRATION AND PROCEDURES

17.50.050 Preapplication conference.

Finding: Complies as proposed. The applicant held a pre-application conference (Planning File PA 13-24) with City staff on July 9th, 2013. The applicant requested a six-month extension to the pre-application conference deadline to be allowed as permitted under subsection B of this section of code, which was granted. No changes to the underlying zoning or building requirements have occurred between the time of the conference and the time of this application. The plan submitted here is also substantially the same to the plan and concept presented at the pre-application conference. The planning director granted the applicant's request for an extension.

17.50.055 Neighborhood association meeting.

Finding: Complies as proposed. The applicant held a Neighborhood meeting with the Caufield Neighborhood Association on August 15th, 2014. Oregon City provided mailing addresses for all residents within a 300-foot radius of the proposed project site. Notifications of the meeting were mailed to all residents on this list. The Neighborhood association was notified of the meeting via e-mail. E-mail was as approved as a method of notification by the Chairs of the Caufield Neighborhood Association. An exhibit with this application contains information on the notification of the meeting, meeting attendance and meeting comments (Exhibit 2.a.viii).

17.50.070 Completeness review and one hundred twenty-day rule.

Finding: Complies as proposed. The applicant is aware of the deadlines and procedures for a complete application and for the review process after an application is deemed complete. The applicant granted an extension of the 120-day deadline to February 4, 2015 (Exhibit 9).

Chapter 17.29 "MUC"—MIXED-USE CORRIDOR DISTRICT

17.29.010 Designated.
The Mixed-Use Corridor (MUC) District is designed to apply along selected sections of transportation corridors such as Molalla Avenue, 7th Street and Beavercreek Road, and along Warner-Milne Road. Land uses are characterized by high-volume establishments such as retail, service, office, multi-family residential, lodging, recreation and meeting facilities, or a similar use as defined by the community development director. A mix of high-density residential, office, and small-scale retail uses are encouraged in this District. Moderate density (MUC-1) and high density (MUC-2) options are available within the MUC zoning district. The area along 7th Street is an example of MUC-1, and the area along Warner-Milne Road is an example of MUC-2.

Finding: Complies. The City Commission rezoned the subject property to MUC-1 in 2010 by approval of Ordinance 10-1012. This rezoning was acknowledged by DLCD and was not appealed to LUBA. Ordinance 10-1012, attached as Exhibit 8a, included the following points:

- The zone change from FU-10 District to MUC-1 is for a property that is has been located within the City's Urban Growth Boundary since 1979;
- The MUC-1 Zone meets the intent of the Comprehensive Plan Policies for mixed-use development, housing choices and increased density near activity centers and along the Beavercreek Road corridor; and
- The subject property is not within the Metro Urban Growth Functional Management Plan Title 4 (Industrial and Employment Land) area that has been slated for re-designation out of Title 4 land on Metro's Urban Design Type Map; and therefore the City need not wait for the Title 4 map change before proceeding with the rezoning;

The rezoning to MUC-1 was formally acknowledged by DLCD through DLCD Adoption Notice 02-0010 on 11/03/2010 (Exhibit 8b).

17.29.020 Permitted uses—MUC-1 and MUC-2.
N. Residential units, multi-family;
AA. Live/work units, pursuant to Section 17.54.105—Live/work units.

Finding: Complies as proposed. The proposed development is allowed under sub-section N of this section, Residential Units, multi-family and under section AA. Live/work units. The applicant has provided a detailed Exhibit (2.a.vi) describing the types of business that may operate in the live-work spaces.

17.29.030 Conditional uses—MUC-1 and MUC-2 zones.

Finding: Not applicable. The applicant has not proposed a Conditional Use at this time. Any proposal for a Conditional Use would be reviewed as a separate application pursuant to OCMC 17.56 through the Type III review process.

17.29.040 Prohibited uses in the MUC-1 and MUC-2 zones.

Finding: Complies as proposed. The applicant has not proposed any prohibited uses.

17.29.050 Dimensional standards—MUC-1.
A. Minimum lot areas: None.
B. Maximum building height: Forty feet or three stories, whichever is less.
C. Minimum required setbacks if not abutting a residential zone: None.
D. Minimum required interior and rear yard setbacks if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every one foot of building height over thirty-five feet.
E. Maximum allowed setbacks.
1. Front yard: Five feet (may be extended with Site Plan and Design Review (Section 17.62.055).
2. Interior side yard: None.
3. Corner side setback abutting street: Thirty feet provided the Site Plan and Design Review requirements of Section 17.62.055 are met.
4. Rear yard: None.
F. Maximum lot coverage of the building and parking lot: Eighty percent.
G. Minimum required landscaping (including landscaping within a parking lot): Twenty percent.

Finding: Complies with Conditions. The maximum building height is defined by OCMC Section 17.04.550 as:

“"Height of building" means a vertical distance measured from the average elevation of the finished grade along the street-facing elevation to one-half the vertical distance between the eaves and the highest ridge for a gable, hip or gambrel roof.”

The proposed building elevations range from 37 feet to 39 feet from average finished grade to the midpoint of the roof.

The surrounding properties have no current zoning designation and therefore there is no minimum setback required per 17.29.050.C.

According to the applicant, the distance from the edge of the Beavercreek Road right of way to the buildings is 7’-3”. Per Section 17.62.055.D one additional measure will be provided to allow a maximum front yard setback of ten feet; the standard maximum of 5 feet per 17.29.050.E.1 plus one five foot increase. Pedestrian scale lighting and enhanced landscaping at the entrances to the Live/Work units have been selected from Section 17.62.055.D to qualify for the five foot increase.

The proposed front setbacks for the buildings abutting Meyers Road, Street A and Street B also exceed the 5’ maximum allowance. The applicant has proposed to provide pedestrian amenities through the Site Plan and Design Review process as permitted under section 17.62.055 in order to increase these the setbacks proposed in these areas, but has not identified the type or extent of the stated amenities on the submitted landscaping and site plans, although staff finds that compliance is feasible.

In order to show compliance with OCMC 17.62.055.D.**, the applicant shall include the details indicating the required number and extent of pedestrian amenities on the applicable site plan sets, as required by OCMC 17.62.055.D prior to issuance of building permits. See Planning Condition of Approval 1.**

The lot coverage of the proposed site plan is approximately 64% with the landscaped areas to exceed the minimum 20% requirement.

In addition to the above dimensional standards, the development must show height and FAR compliance with Conditions of Approval #'s 6 and #7 for the zone change decision ZC 10-01 (See Exhibit :

6. If the Beavercreek Road Concept Plan is not yet adopted at the time the applicant seeks development approval, the applicant's proposal shall be consistent with the intent and purpose of the Mixed Employment Village, which is to provide retail, office, civic and residential uses in an urban, pedestrian friendly and mixed use setting that is transit supportive in its use, density and design. Development shall create an active urban environment that incorporates pedestrian-friendly amenities, urban building design consistent with the Beavercreek Road Concept Plan and cost effective green development practices. At a minimum, the overall development site shall achieve an average minimum floor area ratio (FAR) of 0.25 and a minimum building height of thirty-four feet except for accessory structures or buildings under one thousand square feet. The applicant may seek to modify these standards through the master plan adjustment or variance process with city approval.

Finding: Complies as proposed. The applicant has proposed a development with a Floor Area Ratio of 0.65, which exceeds the specified condition, (Exhibit 2c) and a minimum building height of thirty-seven feet.

7. In accordance with OCMC 17.29.070, the required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs. An individual phase of a project approved through the Master Plan process OCMC 17.65 shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, including phased development, that the required density for the project will be achieved at project build-out.

Finding: Complies as proposed. The applicant has proposed FARs calculated according to this section, including residential floor space.

CHAPTER 12.04 STREETS, SIDEWALKS AND PUBLIC PLACES

12.04.003 Applicability

A. Compliance with this chapter is required for all Land Divisions, Site Plan and Design Review, Master Plan, Detailed Development Plan and Conditional Use applications and all public improvements.

B. Compliance with this chapter is also required for new construction or additions which exceed 50 percent of the existing square footage, of all single and two-family dwellings. All applicable single and two-family dwellings shall provide any necessary dedications, easements or agreements as identified in the Transportation System Plan and this Chapter. In addition, the frontage of the site shall comply with the following prioritized standards identified in this chapter:

1. Improve street pavement, construct curbs, gutters, sidewalks and planter strips; and

2. Plant street trees

The cost of compliance with the standards identified in 12.04.003.B.1 and 12.04.003.B.2 is limited to ten (10%) percent of the total construction costs. The value of the alterations and improvements as determined by the Community Development Director is based on the entire project and not individual building permits. It is the responsibility of the applicant to submit to the Community Development Director the value of the required improvements. Additional costs may be required to comply with other applicable requirements associated with the proposal such as access or landscaping requirements.

Finding: Conditionally Complies. This chapter is applicable to this proposal. The applicant has proposed public transportation improvements for all street frontages and new streets based on the City's transportation system plan and in accordance with this section. Where necessary, staff has attached appropriate conditions of

approval to ensure these standards are met. The applicant's Transportation Impact Analysis, Exhibit 2.a.vii, discusses the proposed impacts to the transportation network. **Applicant can assure the requirements of Chapter 12.04 are met by complying with the applicable Conditions of Approval attached to this decision.**

12.04.005 Jurisdiction and management of the public rights-of-way.

A. The city has jurisdiction and exercises regulatory management over all public rights-of-way within the city under authority of the City Charter and state law by issuing separate Public Works right-of-way permits or permits as part of issued public infrastructure construction plans. No work in the public right-of-way shall be done without the proper permit. Some public rights-of-way within the City are regulated by the State of Oregon Department of Transportation (ODOT) or Clackamas County and as such, any work in these streets shall conform to their respective permitting requirements.

B. Public rights-of-way include, but are not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements and all other public ways or areas, including the subsurface under and air space over these areas.

C. The city has jurisdiction and exercises regulatory management over each public right-of-way whether the city has a fee, easement, or other legal interest in the right-of-way. The city has jurisdiction and regulatory management of each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.

D. No person may occupy or encroach on a public right-of-way without the permission of the city. The city grants permission to use rights-of-way by franchises and permits.

E. The exercise of jurisdiction and regulatory management of a public right-of-way by the city is not official acceptance of the right-of-way, and does not obligate the city to maintain or repair any part of the right-of-way.

Finding: Conditionally Complies. The applicant is aware of and has acknowledged the City's and County's jurisdiction, where applicable. Beavercreek Road is under the jurisdiction of Clackamas County, who has provided formal comments regarding this application in Exhibit 5c. Where applicable, conditions of approval are attached to ensure compliance with Clackamas County and Oregon City public right-of-way standards.

12.04.007 Modifications.

The review body may consider modification of this standard resulting from constitutional limitations restricting the City's ability to require the dedication of property or for any other reason, based upon the criteria listed below and other criteria identified in the standard to be modified. All modifications shall be processed through a Type II Land Use application and may require additional evidence from a transportation engineer or others to verify compliance. Compliance with the following criteria is required:

A. The modification meets the intent of the standard;

B. The modification provides safe and efficient movement of pedestrians, motor vehicles, bicyclists and freight;

C. The modification is consistent with an adopted plan; and

D. The modification is complementary with a surrounding street design; or, in the alternative,

E. If a modification is requested for constitutional reasons, the applicant shall demonstrate the constitutional provision or provisions to be avoided by the modification and propose a modification that complies with the state or federal constitution. The City shall be under no obligation to grant a modification in excess of that which is necessary to meet its constitutional obligations.

Finding: Conditionally Complies. The applicant has proposed modifications to various sections.

Street "A" and Street "B" are local streets requiring a 62 foot right-of-way (ROW), 40-feet of pavement, a 10.5–foot sidewalk with 5-foot tree wells, and on-street parking. The applicant's proposed section consists of the required local street dimensions except for a 5.5-foot plant strip and 5-foot sidewalk. Since the proposed local street dimensions are generally in accordance with the Transportation System Plan, it is acceptable as proposed.

The applicant has also proposed 90-degree parking on a short section of Street "B". Per OCMC 17.52.030.A, groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. The applicant's transportation engineer shall provide an analysis and explanation showing that the proposed configuration is safe and does not create backing or unsafe maneuvering conditions in the public right-of-way,

otherwise the applicant shall provide revised plans for the re-configuration, re-location of elimination of the 90-degree parking spaces.

The applicant has also proposed curb extensions at intersections and at certain mid-block locations on Street "A" and "B". The curb extensions at the intersections is consistent with the Transportation System Plan, and is acceptable. The curb extensions shown mid-block is not consistent with the Transportation System Plan, and is not acceptable.

Meyers Road is classified as a minor arterial, requiring a 116 foot ROW, 94-feet of pavement, a 10.5–foot sidewalk with 5-foot tree wells, bike lanes and on-street parking. The applicant has proposed a section with an 86 foot ROW, 64-feet of pavement, a 7.5-foot planter strip and a 5-foot sidewalk, bike lanes and on-street parking. Since the proposed street section is generally in accordance with the Transportation System Plan, and since it matches the existing section of Meyers Road west of Beavercreek Road, it is acceptable as proposed.

Beavercreek Road is classified as a major arterial, which requires a 116 foot ROW, 94-feet of pavement, a 10.5–foot sidewalk with 5-foot tree wells, bike lanes and on-street parking. The applicant has proposed a section that calls for a 90-foot ROW, two travel lanes with a turn lane at intersections, a plant strip and sidewalk with bike lanes.

Beavercreek Road is within Clackamas County jurisdictional right-of-way and the County's dimensional street standards for the functional classification is slightly different from the City's standard. Clackamas County's facts and findings can be found in the Clackamas County Memorandum by Kenneth Kent (November 4, 2014), Exhibit 5c.

The applicant has proposed on-street parking and planter strips that serve as stormwater swales. Based on the City and Clackamas County standards, the applicant shall be required to provide the following improvements on Beavercreek Road:

The applicant shall dedicate sufficient ROW in order to create 47 feet of total ROW from the centerline Beavercreek Road to the applicant's boundary; provide 32 feet of pavement (half the 12-foot turning lane, a 12-foot travel lane, 6-foot bike lane and 8-foot interim planting area; a 7.5-foot stormwater swale/planter; and a 7-foot sidewalk.

The Applicant can meet this standard through compliance with Engineering Conditions of Approval 1, 2, 3, 17, 18, 19, 20, 21, 22, 23, 24, 25,26 , 27, 43, 44, 45, and 46.

12.04.010 Construction specifications—Improved streets.
All sidewalks hereafter constructed in the city on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan. The curb shall be constructed at the same time as the construction of the sidewalk and shall be located as provided in the ordinance authorizing the improvement of said street next proceeding unless otherwise ordered by the city commission. Both sidewalks and curbs are to be constructed according to plans and specifications provided by the city engineer.

Finding: Conditionally Complies. The applicant has proposed to meet construction standards, but has proposed modifications to various sections. See section 12.04.007 of this report.

12.04.020 Construction specifications—Unimproved streets.
Sidewalks constructed on unimproved streets shall be constructed of concrete according to lines and grades established by the city engineer and approved by the city commission. On unimproved streets curbs do not have to be constructed at the same time as the sidewalk.

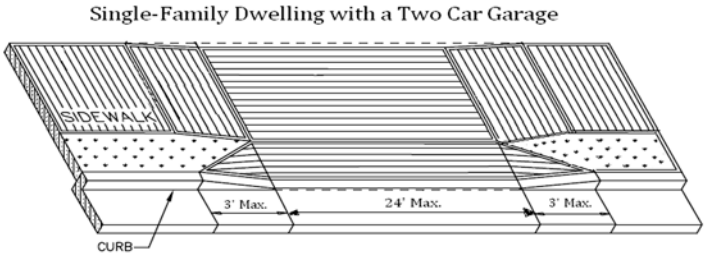
Finding: Not applicable. There will be no sidewalks on unimproved streets.

12.04.025 - Street design—Driveway Curb Cuts.
A. One driveway shall be allowed per frontage. In no case shall more than two driveways be allowed on any single or two-family residential property with multiple frontages.
B. With the exception of the limitations identified in 12.04.025.C, all driveway curb cuts shall be limited to the following dimensions.

Property Use	***Minimum Driveway Width at sidewalk or property line***	***Maximum Driveway Width at sidewalk or property line***
Single or two-family dwelling with one car garage/parking space	*10 feet*	*12 feet*
Single or two-family dwelling with two car garage/parking space	*12 feet*	*24 feet*
Single or two-family dwelling with three or more car garages/parking space	*18 feet*	*30 feet*
Nonresidential or multi-family residential driveway access	*15 feet*	*40 feet*

The driveway width abutting the street pavement may be extended 3 feet on either side of the driveway to accommodate turn movements. Driveways may be widened onsite in locations other than where the driveway meets sidewalk or property line (for example between the property line and the entrance to a garage).

Figure 12.04.025: Example Driveway Curb Cut



C. The decision maker shall be authorized through a Type II process, unless another procedure applicable to the proposal applies, to minimize the number and size of curb cuts (including driveways) as far as practicable for any of the following purposes:
1. To provide adequate space for on-street parking;
2. To facilitate street tree planting requirements;
3. To assure pedestrian and vehicular safety by limiting vehicular access points; and
4. To assure that adequate sight distance requirements are met.
a. Where the decision maker determines any of these situations exist or may occur due to the approval of a proposed development for non-residential uses or attached or multi-family housing, a shared driveway shall be required and limited to twenty-four feet in width adjacent to the sidewalk or property line and may extend to a maximum of thirty feet abutting the street pavement to facilitate turning movements.
b. Where the decision maker determines any of these situations exist or may occur due to approval of a proposed development for detached housing within the "R-5" Single –Family Dwelling District or "R-3.5" Dwelling District, driveway curb cuts shall be limited to twelve feet in width adjacent to the sidewalk or property line and may extend to a maximum of eighteen feet abutting the street pavement to facilitate turning movements.

D. For all driveways, the following standards apply.
1. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard surface for at least ten feet and preferably twenty feet back into the lot as measured from the current edge of street pavement to provide for controlling gravel tracking onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the city engineer.
2. Driving vehicles, trailers, boats, or other wheeled objects across a sidewalk or roadside planter strip at a location other than an approved permanent or city-approved temporary driveway approach is prohibited. Damages caused by such action shall be corrected by the adjoining property owner.
3. Placing soil, gravel, wood, or other material in the gutter or space next to the curb of a public street with the intention of using it as a permanent or temporary driveway is prohibited. Damages caused by such action shall be corrected by the adjoining property owner.
4. Any driveway built within public street or alley right-of-way shall be built and permitted per city requirements as approved by the city engineer.

Finding: Complies with Conditions. There are four driveways proposed for access to private parking lots. Dimensions for the driveway are not shown on the plans, but it is evident that they are sized for two-way traffic, and are approximately 24-feet wide. **The Applicant can meet this standard through Engineering Condition of Approval 30.**

E. Exceptions. The public works director reserves the right to waive this standard, if it is determined through a Type II decision including written findings, that it is in the best interest of the public to do so.

Finding: Not Applicable. An exception is not required.

12.04.030 Maintenance and repair.
12.04.031 Liability for sidewalk injuries.
12.04.032 Required sidewalk repair.
12.04.033 City may do work.
12.04.034 Assessment of costs.
12.04.040 Streets--Enforcement.
12.04.050 Retaining walls--Required.
12.04.060 Retaining walls--Maintenance.
12.04.070 Removal of sliding dirt.

Finding: Not applicable. Sections 12.04.030 - .070 are not development review criteria; they are obligations that apply to any abutting property owner. No retaining walls on private property are required to assure that dirt will fall or slide onto public streets. The applicant acknowledges these requirements.

12.04.080 Excavations--Permit required.
It shall be unlawful for any person to dig up, break, excavate, disturb, dig under or undermine any public street or alley, or any part thereof or any macadam, gravel, or other street pavement or improvement without first applying for and obtaining from the engineer a written permit so to do.

Finding: Conditionally Complies. The applicant has proposed improvements to a public street, which requires application for a construction permit from the city engineer prior to excavation. **The applicant can meet this standard through compliance with Engineering Condition of Approval 1.**

12.04.090 Excavations--Permit restrictions.
The permit shall designate the portion of the street to be so taken up or disturbed, together with the purpose for making the excavation, the number of days in which the work shall be done, and the trench or excavation to be refilled and such other restrictions as may be deemed of public necessity or benefit.

Finding: Complies as proposed. The applicant acknowledges this requirement.

12.04.100 Excavations – Restoration of Pavement
Whenever any excavation shall have been made in any pavement or other street improvement on any street or alley in the city for any purpose whatsoever under the permit granted by the engineer, it shall be the duty of the person making the excavation to put the street or alley in as good condition as it was before it was so broken, dug up or disturbed, and shall remove all surplus dirt, rubbish, or other material from the street or alley.

Finding: Conditionally Complies. Where pavement cuts are made in existing streets for the installation of improvements, the restoration shall be done in accordance with the City of Oregon City Pavement Cut Standards, or Clackamas County standards in County jurisdictional right-of-way. **The Applicant can meet this standard through compliance with Engineering Conditions of Approval 1 and 33.**

12.04.110 Excavations--Nuisance--Penalty.

Finding: Complies as proposed. The applicant acknowledges this requirement.

12.04.130 Obstructions--Sidewalk sales.
12.04.140 Obstructions--Nuisance--Penalty.
12.04.150 Street and alley vacations--Cost.

12.04.160 Street vacations--Restrictions.

Finding: Not applicable. Sections 12.04.130 – .160 are not development review criteria. Sections 12.04.130 – .160 criteria are requirements that apply to any abutting property owner irrespective of development review.

12.04.170 Street Design - Purpose and General Provisions.
All development shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the City 's Public Facility Master Plan and City design standards and specifications. In reviewing applications for development, the City Engineer shall take into consideration any approved development and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated with any development must be reviewed and approved by the city engineer prior to construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.

Finding: This is a construction permit standard rather than a land use review standard. Staff finds that compliance is feasible and the applicant acknowledges the requirement and can comply.

12.04.175 Street Design--Generally.
The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. The arrangement of streets shall either:
A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;
B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. Access control in accordance with section 12.04 shall be required to preserve the objectives of street extensions.

Finding: This is a construction permit standard rather than a land use review standard. Staff finds that compliance is feasible and the applicant acknowledges the requirement and can comply.

12.04.180 Street Design.
All development regulated by this Chapter shall provide street improvements in compliance with the standards in Figure 12.04.180 depending on the street classification set forth in the Transportation System Plan and the Comprehensive Plan designation of the adjacent property, unless an alternative plan has been adopted. The standards provided below are maximum design standards and may be reduced with an alternative street design which may be approved based on the modification criteria in 12.04.007. The steps for reducing the maximum design below are found in the Transportation System Plan.

Finding: The applicant has proposed a public street system in accordance with the 2013 Oregon City Transportation System Plan, and which is intended to implement the preferred transportation system to serve the subject site and adjacent area based on design review criteria in the City's adopted code as well as the urban block dimensions that are envisioned in the Beavercreek Road Concept Plan. The applicant provided a detailed narrative in response to this section below:

> *"Located in the center of the 453 acre area whose future has been carefully studied in the Beavercreek Road Concept Plan any decisions made by the site plan proposed with this application will have multiple ramifications on the future developments for years to come. One of the largest impacts on the future development of the area will be the framework in which they have to plug in to; the largest factor of the*

framework is of course the street network. The most critical step was determining the number of through-streets to parallel Beavercreek Road between Beavercreek and the planned Central Parkway which would ultimately define block size and developable land areas. We focused on the Oregon City Municipal Code and Beavercreek Road Concept Plan for direction as well as investigating block sizing at a local, state and national level.

Considering the givens we have to work with, Beavercreek Road as an Arterial Street and Meyers Road as a Collector Street, the first major factor was the minimum street intersection spacing standards outlined in OCMC Chapter 12.04.195. As found in Table 12.04.040 no Local Street or Neighborhood Collector (depending on how the new parallel road will be classified) shall be within 300 feet as measured along Meyers Road. Using this piece of information coupled with an effort to standardize the grid system made the direction rather clear that one parallel road would be the most logical path. With one block dimension defined, further analysis of block sizing was then completed to help inform how many perpendicular cross streets to plan between Meyers Road and Glen Oak Road.

There is of course a wide range in block sizes as you sample major metropolitan areas across the country; from one of the largest at 1000'x500' in New York to some of the smallest right here in Portland at only 200'x200'. Delving further into how different block sizes function and the feel they lend to the pedestrian environment is quite informative; and by filtering this information by the types of use and other site specific design parameters we can zero in on an effective range to best suit the goals of the Concept Plan.

After analyzing this information and applying it to our site plan we feel confident that the 340'x440' block size we have proposed provides the needed balance between maximizing pedestrian circulation routes and net developable land areas. The rationale behind a 340'x440' block size is the consistent grid spacing and the flexibility it will lend to the different development zones within the Beavercreek Road Concept Plan. In areas such as the mixed employment zone it is just large enough to allow the buildings to face onto the streets with the use of alleys and interior parking where a smaller block size would limit our ability to meet this code requirement. As the grid extends north to the North Employment Campus it will lend itself to larger building footprints for commercial and business tenants. Connecting to the South in the Main Street and Mixed Use Neighborhoods the same concept as the MEV could be used (building street frontage with interior alleyways and parking concept) with the option to introduce additional local streets creating half-blocks at 220'x340' for the most pedestrian dense shopping districts.

As the timeline for future developments is unknown, the new internal public streets would be dead-end stubs with temporary turn-arounds and signage indicating future extension. The site itself would be linked to the existing transportation network by extending Meyers Road to the North across Beavercreek Road into/through the property. As determined by a traffic impact analysis, one lane aligned with the existing northbound lane will be provided for site ingress with 2 lanes provided for egress at the intersection. All stub roads and site topography are deigned to meet existing grade at the property lines as closely as possible to ensure smooth transition for future developments."

The proposed site layout demonstrates concurrence with the desired street network envisioned in the Beavercreek Concept Plan for the subject parcel and with the City's adopted Transportation System Plan. Detailed findings and Conditions of Approval for compliance with the applicable street design standards are provided below.

Table 12.04.180 Street Design

To read the table below, select the road classification as identified in the Transportation System Plan and the Comprehensive Plan designation of the adjacent properties to find the maximum design standards for the road cross section. If the Comprehensive Plan designation on either side of the street differs, the wider right-of-way standard shall apply.

Road Classification	Comprehensive Plan Designation	Right-of-Way Width	Pavement Width	Public Access	Sidewalk	Landscape Strip	Bike Lane	Street Parking	Travel Lanes	Median

Major Arterial (Beavercreek Road)	Mixed Use, Commercial or Public/Quasi Public	116 ft.	94 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells	6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.
Collector (Meyers Road)	Mixed Use, Commercial or Public/Quasi Public	86 ft.	64 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells	6 ft.	8 ft.	(3) 12 ft. Lanes	N/A
Local (Streets A and B)	Mixed Use, Commercial or Public/Quasi Public	62 ft.	40 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells	N/A	8 ft.	(2) 12 ft. Lanes	N/A

Finding: Conditionally Complies. The applicant has proposed modifications to the standards. This is described in detail in section 12.04.007 of this report.

12.04.185 Street Design--Access Control.

A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the City as a City controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property.

B. The City may grant a permit for the adjoining owner to access through the access control.

C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."

D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."

Finding: Conditionally Complies. There are three streets which are proposed to dead-end at the boundary of the development and which would be extended in the future. Access control strips shall be required at each of these which include Meyers Road, Street "A" and Street "B". **The Applicant can meet this standard through Engineering Condition of Approval 28.**

12.04.190 Street Design--Alignment.

The centerline of streets shall be:

A. Aligned with existing streets by continuation of the centerlines; or

B. Offset from the centerline by no more than five (5) feet, provided appropriate mitigation, in the judgment of the City Engineer, is provided to ensure that the offset intersection will not pose a safety hazard.

Finding: Complies as proposed. The applicant has proposed that the centerline of all streets that meet at intersections align.

12.04.194 Traffic Sight Obstructions

All new streets shall comply with the Traffic Sight Obstructions in Chapter 10.32.

Finding: Complies with Conditions. According to the applicant, the site plan and landscape planting plan have been designed to exclude vegetation and built elements exceeding three feet in height within the clear vision area as defined by Section 10.32.020. Required street trees planted along Meyers and Beavercreek Roads will have all branches and foliage removed to a height of eight feet above the grade. The City's Transportation Consultant, Replinger and Associates, indicated that the TIA indicates that sight distance at the Meyers

Road/Beavercreek Road intersection was estimated to be in excess of 450 feet to the north and approximately 650 feet to the south. Sight distance is adequate for this signalized intersection.

Compliance with the County's sight distance standards for Beavercreek Road are provided in the facts and findings in Clackamas County's Memorandum by Kenneth Kent (November 4, 2014), 5c. **The Applicant can meet this standard through Engineering Condition of Approval 42.**

12.04.195 Spacing Standards.

A. All new streets shall be designed as local streets unless otherwise designated as arterials and collectors in Figure 8 in the Transportation System Plan. The maximum block spacing between streets is 530 feet and the minimum block spacing between streets is 150 feet as measured between the right-of-way centerlines. If the maximum block size is exceeded, pedestrian accessways must be provided every 330 feet. The spacing standards within this section do not apply to alleys.

B. All new development and redevelopment shall meet the minimum driveway spacing standards identified in Table 12.04.195.B.

Table 12.04.195.B Minimum Driveway Spacing Standards		
Street Functional Classification	*Minimum Driveway Spacing Standards*	*Distance*
Major Arterial Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*175 ft.*
Minor Arterial Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*175 ft.*
Collector Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*100 ft.*
Local Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*25 ft.*

The distance from a street corner to a driveway is measured along the right-of-way from the edge of the intersection right-of-way to the nearest portion of the driveway and the distance between driveways is measured at the nearest portions of the driveway at the right-of-way.

Finding: Complies with conditions. The applicant indicates that the driveway on Meyers Road is approximately 240 feet from the intersection with Beavercreek Road. The driveway on Street "A" is approximately 100 feet from the intersection with Meyers Road. The driveways on Street "B" are approximately 160 feet from the intersection with Street "A". **The Applicant can meet this standard through Engineering Condition of Approval 31.**

12.04.199 Pedestrian and Bicycle Accessways

Finding: Conditionally Complies. The applicant has not proposed public pedestrian accessways to connect the dead-end Street B with the public sidewalk along Beavercreek Road, a logical and needed location for a public pedestrian accessway, given that Street B is located approximately 330-400 feet to the south of Meyers Road and there is already a pathway / street light / pole light planned in this area connecting the end of Street B to Beavercreek Road. A public pedestrian accessway with a public easement in this area is necessary to reduce out-of-direction travel for pedestrians and bicyclists of the proposed development and adjacent area when it develops. The public pedestrian accessway in this location shall be designed in accordance with the standards A-K of OCMC section 12.04.199 and shall be completed with the public streets prior to issuance of any building permit for the property. **The Applicant can meet this standard through Engineering Condition of Approval 29.**

12.04.205 Mobility Standards.

Development shall demonstrate compliance with intersection mobility standards. When evaluating the performance of the transportation system, the City of Oregon City requires all intersections, except for the facilities identified in subsection D below, to be maintained at or below the following mobility standards during the two-hour peak operating conditions. The first hour has the highest weekday traffic volumes and the second hour is the next highest hour before or after the first hour. Except as provided otherwise below, this may require the installation of mobility improvements as set forth in the Transportation System Plan or as otherwise identified by the City Transportation Engineer.

A. For intersections within the Regional Center, the following mobility standards apply:
1. During the first hour, a maximum v/c ratio of 1.10 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
3. Intersections located on the Regional Center boundary shall be considered within the Regional Center.

Finding: Not applicable. The applicant has not proposed a development within the Regional Center.

B. For intersections outside of the Regional Center but designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:
1. During the first hour, a maximum v/c ratio of 0.99 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.

Finding: See section 12.04.205(D) below. The proposed development affects the OR 213/ Beavercreek Road intersection which is outside of the Regional Center but which is designated on Arterial and Throughway Network as defined in the Regional Transportation Plan. **This intersection is exempt from the mobility standards of this section.**

C. For intersections outside the boundaries of the Regional Center and not designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:
1. For signalized intersections:
a. During the first hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.
b. During the second hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.
2. For unsignalized intersections outside of the boundaries of the Regional Center:
a. For unsignalized intersections, during the peak hour, all movements serving more than 20 vehicles shall be maintained at LOS "E" or better. LOS "F" will be tolerated at movements serving no more than 20 vehicles during the peak hour.

Finding: Not applicable. The applicant has not proposed a development outside the boundaries of the Regional Center and not designated on the Arterial and Throughway Network.

D. Until the City adopts new performance measures that identify alternative mobility targets, the City shall exempt proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, from compliance with the above-referenced mobility standards for the following state-owned facilities:

I-205 / OR 99E Interchange
I-205 / OR 213 Interchange
OR 213 / Beavercreek Road
State intersections located within or on the Regional Center Boundaries

1. In the case of conceptual development approval for a master plan that impacts the above references intersections:
a. The form of mitigation will be determined at the time of the detailed development plan review for subsequent phases utilizing the Code in place at the time the detailed development plan is submitted; and
b. Only those trips approved by a detailed development plan review are vested.
2. Development which does not comply with the mobility standards for the intersections identified in 12.04.205.D shall provide for the improvements identified in the Transportation System Plan (TSP) in an effort to improve intersection mobility as necessary to offset the impact caused by development. Where required by other provisions of the Code, the applicant shall provide a traffic impact study that includes an assessment of the development's impact on the intersections identified in this exemption and shall construct the intersection improvements listed in the TSP or required by the Code.

Finding: Complies with Conditions. The applicant submitted a Transportation Impact Analysis for the project, which was prepared pursuant to the City's adopted Guidelines for Transportation Impact Analysis (TIA), and taking into prior TIA's prepared for the site rezoning in 2010. Additionally, comments from Clackamas County and ODOT were provided to the applicant at the pre-application to assist in preparation of the TIA.

The TIA was prepared by Chris Brehmer, PE of Kittelson & Associates, Inc. The TIA is dated December 13, 2013.

The TIA addresses the following transportation requirements prepared to the City's adopted standards: 1) Study Area (intersections) 2) Traffic Counts 3) Trip Generation 4) Trip Distribution 5) Traffic Growth 6) Operational Analysis of Existing, Background and Total Conditions (V/C and mobility standards) 7) Turn Lanes 8) Crash Information 9) Pedestrian and Bicycle Facilities 10) Site Plan and Access 11) Intersection Spacing 12) Sight Distance 13) Consistency with the TSP, and 14) Conclusions and Recommendation.

The city's Transportation Consultant, John Replinger, P.E., of Replinger and Associates reviewed the Traffic Impact Analysis and provided comments in Exhibit 6a.

The TIA describes a proposal to construct 183 residential units of which 36 are proposed to be live-work townhomes. The 9.73-acre site is adjacent to Beavercreek Road in the vicinity of Meyers Road. The TIA assumes the site will be built out by 2016.

The applicant's engineer concludes that the all study area intersections will meet mobility standards in 2016 even with the build out of the development. In fact, the v/c for the Highway 213/Beavercreek Road is predicted to be 1.0, rather than 0.99. However, under OCMC 12.04.205 D, the normal mobility standards to not apply at this intersection.

Because of the conditions associated with rezoning of the parcel in 2010, the TIA also includes a discussion for the Highway 213/Meyers Road intersection. In the 2010 study it was shown that the inclusion of an exclusive right-turn lane on the westbound approach of Meyers Road at Highway 213 improves the intersection's performance to better than that predicted for the "no rezoning" scenario. This became a condition of approval associated with the rezoning of the property.

Overall, Mr. Replinger found that the TIA addresses the city's requirements and provides an adequate basis to evaluate impacts of the proposed development. The TIA indicates that development will cause modest increases in traffic. With the exception of Highway 213/Beavercreek Road, which is exempt, mobility standards will be met at all locations with the development in year 2016.

The applicant's access to the transportation system will be accomplished by constructing the extension of Meyers Road to the east of Beavercreek Road. Materials provided by the applicant appear consistent with the planned function of Meyers Road. The extension of Meyers Road will require the applicant reconstruct the existing intersection and signal system to accommodate the new east leg of the intersection.

The conditions of approval specify that the applicant bear the costs of designing and reconstructing the intersection and the existing signal to provide for all movements including left-turn lanes and protected phasing for left turns on each approach. The signal system upgrade shall comply with county standards.

Because of special provisions in OCMC 12.04.205 D, the intersection of Highway 213 and Beavercreek Road is allowed to exceed v/c 0.99. Under 12.04.205 D 2, the applicant may be required to construct TSP improvements or other improvements specified by the Code to offset the impacts at this intersection. Staff may identify

improvements from the TSP that could be implemented by the applicant to offset the impacts caused by the development at this intersection.

In connection with the rezoning of the property in 2010, an analysis was also conducted of the Highway 213/Meyers Road intersection. The approval of this re-zoning included conditions of approval related to this intersection which are retained and restated as conditions of approval for this development proposal.

Based on the information supplied in the TIA and the findings by the City's Traffic Engineer, the development's contribution to the right-turn movements from Meyers Road traveling westbound to OR 213 traveling northbound is approximately 14 percent. Based on 14 percent, the applicant shall be responsible for the proportional share cost of the right turn lane improvement. The estimated cost for right-of-way, design and construction of the right turn lane improvements is $360,000. The Applicant shall pay a fee-in-lieu of improvements based on 14 percent of the estimated cost, for a total of $50,400. **The Applicant can meet this standard through Engineering Condition of Approval 47.**

Additionally, the applicant is responsible for complying with Clackamas County's conditions of approval for improvements on Beavercreek Road. Facts and findings can be referenced in the Clackamas County Memorandum by Kenneth Kent (November 4, 2014, Exhibit 5c).

The Applicant can meet this standard through Engineering Conditions of Approval 40 and 41.

12.04.210 Street design--Intersection Angles.
Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the city engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point.

Finding: Complies with Conditions. The applicant has proposed street intersection geometry of Meyers Road and Beavercreek Road be at 80-degrees. There is an existing gas utility easement on the subject property north of the intersection of Meyers Road and Beavercreek Road, at an angle of approximately 77.5-degrees to Beavercreek Road. The applicant has proposed to roughly parallel the easement in order to avoid potential conflicts. The applicant believes the standard to deviate from the 90 degree intersection is sufficient. The existing topography includes a gas line easement through the site that necessitates an 80-degree intersection angle. Without this 80-degree angle, optimal block sizes (as described in response to Code Sections 12.04.170 to 12.04.175) would not be possible. It is this optimal block size that is highly critical for setting the cornerstone of the future Beavercreek Road Concept Plan area.

The City's Transportation Consultant, Replinger and Associates, reviewed the intersection angle in their report (Exhibit 6a). Mr. Replinger commented that the proposed 80-degree angle of intersection is completely acceptable for this location because it is a signalized intersection. For an unsignalized intersection, there would be more concern because of the potential impact on sight distance. For signalized intersections, this is of no real concern. Since the intersection of Meyers Road and Beavercreek Road will be a stop controlled intersection, the angle is acceptable from a safety standpoint and it meets the code requirements.

The applicant has proposed street intersection geometry of 90-degree angles for Street "A" and Street "B".

The Applicant can meet this standard through Engineering Conditions of Approval 1 and 32.

12.04.215 Street design--Off-Site Street Improvements.
During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the city's applicable planned minimum design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall

require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.

Finding: See sections 12.04.205 D.2 and 12.04.007. The applicant has proposed to make improvements to Beavercreek Road which abuts the development pursuant to Clackamas County requirements as detailed in the memorandum from Ken Kent, P.E. (See Exhibit 5c). The applicant is also required to contribute a proportional share for off-site improvements or construct improvements as discussed in section 12.04.205.D (2) above. See section 12.04.007 for a description of the proposed abutting improvements.

12.04.220 Street Design--Half Street.

Finding: Not applicable. The applicant has not proposed a half street improvement.

12.04.225 Street Design--Cul-de-sacs and Dead-End Streets.

Finding: Complies with Conditions. See section 12.04.007 for a full description of the street improvements.

The applicant has proposed a dead end street (street "B") that is approximately 160-feet long. At the end of the street there will be two private parking lots that provide the ability to turn around. The southwest end of Street "B", which is not permitted a direct connection to Beavercreek Road for access control purposes, connects to private access driveway loops or "alleys" behind the buildings that front Beavercreek Road to the northwest and southeast, providing further connectivity. The dead end street in this location is acceptable provided that the applicant also comply with section 12.04.199 – Pedestrian and Bicycle Accessways (See section for details).

The applicant provided an emergency vehicle access plan based on turning radii and fire truck length that shows how a fire truck may circulate through the development.

Clackamas Fire District commented on the application and indicated no conflicts with the proposed emergency vehicle plan. Additional Fire District comments will be addressed through the building permit review process.

Where approved, cul-de-sacs shall have sufficient radius to provide adequate turn-around for emergency vehicles in accordance with Fire District and City adopted street standards. Permanent dead-end streets other than cul-de-sacs shall provide public street right-of-way / easements sufficient to provide turn-around space with appropriate no-parking signs or markings for waste disposal, sweepers, and other long vehicles in the form of a hammerhead or other design to be approved by the decision maker. Driveways shall be encouraged off the turnaround to provide for additional on-street parking space.

12.04.230 Street Design--Street Names.

Finding: Conditionally Complies. The applicant proposed to name the two new public cross streets at a later time. Those names will comply with the City's adopted street naming policy. **See Planning Condition of Approval 2.**

12.04.235 Street Design--Grades and Curves.
Grades and center line radii shall conform to the standards in the City's street design standards and specifications.

Finding: Conditionally Complies. The applicant has proposed grades and curves that appear to meet with City design standards. **The Applicant can meet this standard through Engineering Condition of Approval 1.**

12.04.240 Street Design--Development Abutting Arterial or Collector Street.
Where development abuts or contains an existing or proposed arterial or collector street, the decision maker may require: access control; screen planting or wall contained in an easement or otherwise protected by a restrictive covenant in a form acceptable to the decision maker along the rear or side property line; or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic. Reverse frontage lots with suitable depth may also be considered an option for residential property that has arterial frontage. Where access for development abuts and connects for vehicular access to another jurisdiction's facility then authorization by that jurisdiction may be required.

Finding: Complies with Conditions. The applicant indicated that the proposed site plan includes live/work residential units abutting an existing arterial street (Beavercreek Road) which are governed by Section

17.54.105 as well as the MUC-1 zoning classification of the site and the associated dimensional standards in Section 17.29.050.

Beavercreek Road is functionally classified as a major arterial. Access for all buildings along Beavercreek Road will be from the property side. No additional separation has been proposed.

On-street parking along Beavercreek Road will not be permitted at this time due to traffic volume, speed and safety concerns. There shall be an 8-foot interim planting area. **The applicant can meet this standard through Engineering Condition of Approval 25.**

12.04.245 Street Design--Pedestrian and Bicycle Safety.
Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.

All crosswalks shall include a large vegetative or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The decision maker may approve an alternative design that achieves the same standard for constrained sites or where deemed unnecessary by the City Engineer.

Finding: Conditionally Complies. The applicant has proposed curb extensions on local streets at intersections and at mid-block locations. The curb extensions at the intersections match the guidelines in the Beavercreek Road Concept Plan. However, the mid-block extensions do not match the Concept plan guidelines, and staff recommends that they not be included. **The Applicant can meet this standard through Engineering Conditions of Approval 19 and 20.**

12.04.255 Street design--Alleys.
Public alleys shall be provided in the following districts R-5, R-3.5, R-2, MUC-1, MUC-2 and NC zones unless other permanent provisions for private access to off-street parking and loading facilities are approved by the decision maker. The corners of alley intersections shall have a radius of not less than ten feet.

Finding: Conditionally Complies. The applicant has proposed two alley loops behind buildings A1 and A3. These function as parking lots and are proposed to be private. They provide private access to off-street parking and loading areas. **The Applicant can meet this standard through Engineering Condition of Approval 21.**

12.04.260 Street Design--Transit.
Streets shall be designed and laid out in a manner that promotes pedestrian and bicycle circulation. The applicant shall coordinate with transit agencies where the application impacts transit streets as identified in 17.04.1310. Pedestrian/bicycle access ways shall be provided as necessary in Chapter 12.04 to minimize the travel distance to transit streets and stops and neighborhood activity centers. The decision maker may require provisions, including easements, for transit facilities along transit streets where a need for bus stops, bus pullouts or other transit facilities within or adjacent to the development has been identified.

Finding: Complies as proposed. The property is within the Tri-Met transit district. This application was forwarded to Tri-Met for comment. The site plan has an extensive network of sidewalks and bicycle lanes to promote walking and bicycling as alternative forms of transit. The Meyers Road extension and the Beavercreek Road improvements all include public sidewalk and public bicycle lane improvements. Streets A and B provide public sidewalks. No existing Tri-Met stops are within one mile of the project according to Tri-Met maps and route system plans. The nearest Transit Street is located to the north of the subject site at Clackamas Community College. To access these stations residents of the proposed project may utilize the bicycle lanes in the proposed project site and the lanes along Beavercreek Road. The adopted TSP identifies Beavercreek Road and Meyers Road as future transit corridors. Tri-Met commented on the application that it does not have firm plans to extend service along Beavercreek Road at this time (Exhibit 5e).

12.04.265 Street design--Planter Strips.
All development shall include vegetative planter strips that are five feet in width or larger and located adjacent to the curb. This requirement may be waived or modified if the decision maker finds it is not practicable. The decision maker may permit constrained sites to place street trees on the abutting private property within 10 feet of the public

right-of-way if a covenant is recorded on the title of the property identifying the tree as a city street tree which is maintained by the property owner. Development proposed along a collector, minor arterial, or major arterial street may use tree wells with root barriers located near the curb within a wider sidewalk in lieu of a planter strip, in which case each tree shall have a protected area to ensure proper root growth and reduce potential damage to sidewalks, curbs and gutters.

To promote and maintain the community tree canopy adjacent to public streets, trees shall be selected and planted in planter strips in accordance with Chapter 12.08, Street Trees. Individual abutting lot owners shall be legally responsible for maintaining healthy and attractive trees and vegetation in the planter strip. If a homeowners' association is created as part of the development, the association may assume the maintenance obligation through a legally binding mechanism, e.g., deed restrictions, maintenance agreement, etc., which shall be reviewed and approved by the city attorney. Failure to properly maintain trees and vegetation in a planter strip shall be a violation of this code and enforceable as a civil infraction.

Finding: Conditionally Complies. The applicant has proposed planter strips. See section 12.04.007 for a description. All proposed new public streets on the site plan include a minimum five-foot wide planting strip adjacent to the curb within the right of way. The tree species shall be selected from the adopted Oregon City Street Tree List or as recommended by a Certified Arborist or Landscape Architect and shall be planted in accordance with Chapter 12.08 to promote and maintain the community tree canopy adjacent to public streets. Revised and Final street tree plans shall be submitted for review at the time of construction plan review by the City Engineer (Revised Street Tree Plan) and following approval of Construction Documents by the City Engineer (Final Street Tree Plan). **See Planning Condition of Approval 3.**

12.04.270 Standard Construction Specifications.
The workmanship and materials for any work performed under permits issued per this chapter shall be in accordance with the edition of the "Standard Specifications for Public Works Construction," as prepared by the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Street Design Drawings provide other design details, in which case the requirements of this chapter and the Public Works Street Design Drawings shall be complied with. In the case of work within ODOT or Clackamas County rights-of-way, work shall be in conformance with their respective construction standards.

Finding: This is a construction permit standard rather than a land use review standard. Staff finds that compliance is feasible and the applicant acknowledges the requirement and can comply.

12.04.280 Violation--Penalty.
Any act or omission in violation of this chapter shall be deemed a nuisance. Violation of any provision of this chapter is subject to the code enforcement procedures of Chapters 1.16, 1.20 and 1.24.

Finding: This is an enforcement provision rather than an approval criterion. Staff finds that compliance is feasible and the applicant acknowledges the requirement and can comply.

CHAPTER 12.08 PUBLIC AND STREET TREES

12.08.010 Purpose.
The purpose of this chapter is to:
A. Develop tree-lined streets to protect the living quality and beautify the City;
B. Establish physical separation between pedestrians and vehicular traffic;
C. Create opportunities for solar shading;
D. Improve air quality; and
E. Increase the community tree canopy and resource.

12.08.015 Street Tree Planting and Maintenance Requirements.
12.08.020 Street Tree Species Selection.

12.08.025 General Tree Maintenance.
12.08.030 Public Property Tree Maintenance.
12.08.045 Gifts and Funding.

Findings for sections 12.08-015 – 12.08.045: Complies with condition. Along Beavercreek Road, the streetscape has been enhanced with 2 in. caliper *Zelkova serrata* "Halka" spaced approximately every 40 feet. Within the main interior road, Meyers Rd, 3.5 in. caliper *Crategus laevigata* "Crimson Cloud" trees have been planted approximately every 30 feet.

Interior streetscape trees include 2in. caliper *Carpinus betulus* "Fastigiata" planted 30 feet on center, 2in. caliper *Pyrus calleryana* "Glen's Form" planted every 30 feet on center, and *Zelkova serrata* "Halka Zelkova" will be planted at interior intersections. All of these trees are listed as appropriate for the planting area on the Oregon City Street Tree List.

All trees will be irrigated and will require minimal maintenance other than yearly inspection for disease.

All proposed new public streets on the site plan include a minimum five-foot wide planting strip adjacent to the curb within the right of way. The tree species shall be selected from the adopted Oregon City Street Tree List or as recommended by a Certified Arborist or Landscape Architect and shall be planted in accordance with Chapter 12.08 to promote and maintain the community tree canopy adjacent to public streets. Revised and Final street tree plans shall be submitted for review at the time of construction plan review by the City Engineer (Revised Street Tree Plan) and following approval of Construction Documents by the City Engineer (Final Street Tree Plan). **See Planning Condition of Approval 3.**

17.41 TREE PROTECTION STANDARDS

17.41.010 Protection of trees—Intent

Finding: Complies. The applicant acknowledges the intent of this section of code to preserve as many existing trees as possible. As part of their application a tree survey was submitted by a certified arborist (Holen and Associates), discussing existing trees on the property. The applicant stated that it is not feasible to design the project without removing the existing trees. The city code allows for the removal of trees when it is impractical to save them given sufficient justification, provided appropriate mitigation in the form of replanting new trees is proposed. The application planting plan shows that all the trees which have to be removed have been replaced per code by the required multiplier of new trees. The amount of new tree planting is also discussed in the tree survey**.**

17.41.020 Tree protection—Applicability

Finding: Applies. The applicant acknowledges that it must comply with the standards of this section since it is going through a Type II Site Plan and Design Review process.

17.41.030 Tree protection—Conflicting code provisions

Finding: Not applicable. The site is not within the Natural Resources Overlay District or any other overly zones which would conflict with this section. The applicant acknowledges this section.

17.41.040 Same—Exemptions

Finding: Not applicable. This site does not qualify for an exemption under this section.

17.41.050 Same—Compliance options

Finding: The applicant has chosen Option number 1, mitigation.

17.41.060 Tree removal and replanting—Mitigation (Option 1)

Finding: The applicant submitted a tree survey including a mitigation plan and report from a certified arborist that outlines the number of trees to be mitigated and the number of trees that will be planted.

17.41.060 Tree removal and replanting—Mitigation (Option 1)

Finding: Complies with condition. The applicant chose to utilize Choice A and re-plant on-site.

According to the applicant; pursuant to the project Arborist report (15) trees are to be removed all of which are located within the construction area; (9) trees are recommended for removal for the purpose of construction and (6) are recommended for removal because of poor or hazardous conditions. In accordance with this report (20) are required for mitigation. The proposed landscape plan for the project includes the placement of (237) trees on the property which will exceed this requirement.

Staff reviewed the applicant's Arborist Report and tree removal plan Sheet L104. It appears that the 10" apple tree and the 29" Douglas Fir are not located in a construction area and the applicant could practicably avoid their removal. Therefore the applicant shall either propose measures to assure that these two trees are physically protected during the construction process pursuant to OCMC 17.41.130, or otherwise mitigate for their removal as follows:

- 6 mitigation trees for the removal of the 10" DBH apple tree, per code, and
- 12 mitigation trees for the removal of the 29" DBH Douglas Fir tree, per code.

This results in total of 32 mitigation trees, rather than the total of 20 trees proposed by the applicant.

All mitigation trees shall be identified separately from and in addition to any standard required landscaping trees required under Chapter 17.62, street trees required under Chapter 12.08, and parking lot trees required under Chapter 17.52. Applicant shall provide revised landscaping plans indicating the location, size and type of mitigation trees on a revised landscaping plan prior to issuance of a final certificate of occupancy for the site. **See Planning Condition of Approval 14.**

17.41.075 Alternative mitigation plan

Finding: Not applicable. The applicant has not proposed an alternative mitigation plan.

17.41.080 to Section 17.41.125

Finding: These sections are not applicable. The applicant is not utilizing the Options that these sections of code apply to. The applicant is utilizing Option 1.

17.41.130 Regulated tree protection procedures during construction.

Finding: Not applicable. The applicant has not proposed to protect any trees. No trees will be removed that are not shown for removal and mitigation per the enclosed Tree Survey and final approved Site Plan and Design Review permit, without prior written authorization from the Planning Director.

CHAPTER 17.62 SITE PLAN AND DESIGN REVIEW

17.62.010 Purpose.
The purposes of site plan and design review are to: encourage site planning in advance of construction; protect lives and property from potential adverse impacts of development; consider natural or man-made hazards which may impose limitations on development; conserve the city's natural beauty and visual character and minimize adverse impacts of development on the natural environment as much as is reasonably practicable; assure that development is supported with necessary public facilities and services; ensure that structures and other improvements are properly related to their sites and to surrounding sites and structure; and implement the city's comprehensive plan and land use regulations with respect to development standards and policies.

Finding: Complies as proposed. The applicant's site plan has been proposed based on a variety of adopted and proposed city plans and standards as detailed in the Background section at the beginning of this report. The overall urban form of the proposed development has been reviewed in order to assure that the proposed development can achieve the purpose of this section, as well as the purpose of the Mixed Use Corridor MUC-1 zone (See findings in Chapter 17.29 – Mixed Use Corridor District), and the design requirements for the *Mixed Employment Village* concept described in the Beavercreek Road Concept Plan (See Exhibit 2.a.i and 2.a.vi) as

discussed in the Conditions of Approval which apply to this property as a consequence of the approved re-zoning to MUC-1 in 2010 (Exhibit 8c).

17.62.015 Modifications that will better meet design review requirements.
The review body may consider modification of site-related development standards. These modifications are done as part of design review and are not required to go through the Variance process pursuant to section 17.60.020. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the Variance process pursuant to section 17.60.020. Modifications that are denied through design review may be requested as Variance through the Variance process pursuant to section 17.60.020. The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:
A. The modification will result in a development that better meets design guidelines; and
B. The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Finding: Complies as proposed. The applicant did not respond to this section, however the applicant has requested modification to the following specific site-related development standards within Chapter 17.62 through the Type II process elsewhere in their code responses and narrative:

- Minimum first floor ceiling height for multi-family buildings constructed in Mixed Use zones in section 17.62.057(J). The applicant is requesting to modify the required minimum ceiling height from 13' to 10'.

Please refer to section 17.62.057(J) below for the applicant's justification and staff's findings.

17.62.020 Preapplication conference.

Finding: Complies as proposed. Please see finding under section 17.50.050.

17.62.030 When required.
Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6, R-5 and R-3.5 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cottage housing development, multi-family and non-residential uses in all zones. No building permit or other permit authorization for development shall be issued prior to site plan and design review approval. Parking lots and parking areas accessory to uses regulated by this chapter also shall require site plan and design review approval. Site plan and design review shall not alter the type and category of uses permitted in zoning districts.

Finding: Applicable. The applicant is proposing development of property in the Mixed Use Corridor MUC-1 zone and has applied for Site Plan and Design Review approval pursuant to this section.

17.62.035 Minor site plan and design review.

Finding: Not applicable. The proposed development does not qualify for a Minor Site and Design Review application.

17.62.040 Plans required.

Finding: Complies as proposed. The applicant has submitted all requested application items pursuant to sections A-K of this section as applicable and their application was deemed complete on July 24, 2014. The complete application is attached as Exhibit 2a and 2b. Additional materials (Exhibits 2d) were prepared following the initial determination, and the application was transmitted for public notice and comment a second time as described earlier in this report.

17.62.050 Standards.
A. All development shall comply with the following standards:

1. Landscaping,

The standards of this section address the quantity, quality and type of required landscaping. A minimum of fifteen percent of the lot shall be landscaped. Existing native vegetation shall be retained to the maximum extent practicable. All plants listed on the Oregon City Nuisance Plant List shall be removed from the site prior to issuance of a final occupancy permit for the building.
a. Except as allowed elsewhere in the zoning and land division chapters of this Code, all areas to be credited towards landscaping must be installed with growing plant materials. A reduction of up to twenty-five percent of the overall required landscaping may be approved by the community development director if the same or greater amount of pervious material is incorporated in the non-parking lot portion of the site plan (pervious material within parking lots are regulated in OCMC 17.52.070).
b. Pursuant to Chapter 17.49, landscaping requirements within the Natural Resource Overlay District, other than landscaping required for parking lots, may be met by preserving, restoring and permanently protecting native vegetation and habitat on development sites.
c. The landscaping plan shall be prepared by a registered landscape architect and include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.) that within three years will cover one hundred percent of the Landscape area. No mulch, bark chips, or similar materials shall be allowed at the time of landscape installation except under the canopy of shrubs and within two feet of the base of trees. The community development department shall maintain a list of trees, shrubs and vegetation acceptable for landscaping.
d. For properties within the Downtown Design District, or for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the ten percent requirement.
e. Landscaping shall be visible from public thoroughfares to the extent practicable.
f. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum, unless otherwise permitted by the dimensional standards of the underlying zone district.

Finding: Complies as proposed. The landscape plan for this project has been designed to create a pleasing year-round environment for residents and to be an asset to the overall Oregon City community. All proposed plantings have been selected in accordance with the City's requirement in terms of sizing and spacing.

Plantings within the project are diverse in terms of colors, texture, and deciduous/versus evergreen plant material. Interior spaces within the project provide open, multi-use recreation spaces for tenants.

The applicant's landscaping plan sheets L1 through L5 were prepared by Steven Shapiro, ASLA, an Oregon registered Landscape Architect. The site is not within the Natural Resources Overlay District or within the Downtown Design District.

The landscaping plan indicates that 200 landscaping trees will be planted throughout the site, including 20 mitigation trees (See Chapter 17.41 findings). According to the applicant's plans, landscaping trees include Street Trees planted in the public right-of-way, on-site landscaping trees not in parking lots, and trees planted in and around parking lots.

The total site area is calculated to be 369,496 square feet. Excluding interior parking lot landscaping, the proposed landscaping totals 120,350 square feet or 32% of the site, which exceeds the 15% minimum requirement for this section, as well as the minimum 20% landscaping requirement of the MUC-1 zone in section OCMC 17.29.050.

An automatic irrigation system will be provided in all landscaped areas.

2. Vehicular Access and Connectivity.
a. Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.

Finding: Complies as proposed. With the exception of required on-street parallel parking all proposed parking areas are located internally within the blocks behind buildings and additionally shielded from view off the public way by landscaping. The parking for building C1 also complies with parking on one side of the building set off the street and buffered by planted areas.

b. Ingress and egress locations on thoroughfares shall be located in the interest of public safety. Access for emergency services (fire and police) shall be provided.

Finding: Complies as proposed. The applicant has proposed three access points from streets to parking lots or alleys. There is an access to a parking lot on Meyers Road (minor arterial) that is approximately 240 feet from the intersection with Beavercreek Road. The driveway spacing standard on a minor arterial is 175 feet.

There is an access to a parking lot on Street "A" (local street) that is approximately 100 feet from the intersection with Meyers Road. The driveway spacing standard on a local street is 25 feet. There is a third access that is at the end of Street "B" (local street). For further discussion on parking areas see section 17.52. Clackamas Fire District provided standard comments regarding the application and did not indicate any conflicts with the proposed access and egress points for the site (Exhibit 5b).

c. Alleys or vehicular access easements shall be provided in the following Districts: R-2, MUC-1, MUC-2, MUD and NC zones unless other permanent provisions for access to off-street parking and loading facilities are approved by the decision-maker. The corners of alley intersections shall have a radius of not less than ten feet.

Finding: Complies with Conditions. The applicant has proposed non-public alley loops to serve the parking areas throughout the site which meet the intent of this section. Access to private off-street parking and loading facilities are adequately provided for per the driveway design standards. The applicant has proposed two alley loops that connect to the end of Street "B". The alley loops are essentially parking lots behind building A1 and A3, similar to the parking lot behind building A2. The alley loops should be private parking lots with access easement for all the buildings abutting the parking lots, and for the public. **The Applicant can meet this standard through Engineering Condition of Approval 21.**

d. Sites abutting an alley shall be required to gain vehicular access from the alley unless deemed impracticable by the community development director.

Finding: Complies as proposed. See finding under (c) above.

e. Where no alley access is available, the development shall be configured to allow only one driveway per frontage. On corner lots, the driveway(s) shall be located off of the side street (unless the side street is an arterial) and away from the street intersection. Shared driveways shall be required as needed to accomplish the requirements of this section. The location and design of pedestrian access from the sidewalk shall be emphasized so as to be clearly visible and distinguishable from the vehicular access to the site. Special landscaping, paving, lighting, and architectural treatments may be required to accomplish this requirement.

Finding: Complies as proposed. All vehicular access to parking facilities is from the alley loops. See finding under (c) above.

f. Driveways that are at least twenty-four feet wide shall align with existing or planned streets on adjacent sites.

Finding: See section 12.04.025.

g. Development shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable. Such easements shall be required in addition to applicable street dedications as required in Chapter 12.04.

Finding: Not applicable. Future connection to adjacent sites will be accommodated through street dedications.

h. Vehicle and pedestrian access easements may serve in lieu of streets when approved by the decision maker only where dedication of a street is deemed impracticable by the city.

Finding: Complies with Conditions. See finding under (c) above and section 12.04.199 for pedestrian accessways. The applicant shall provide public access easements for the benefit of vehicle, bicycle and pedestrian access over all private alley loops for approval by the City Engineer.

i. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.

Finding: Complies with Conditions. See finding above under (c).

j. In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future.

Findings: Complies with Conditions. The applicant has proposed two dead-end stub streets that will be extended in the future. These two streets shall be posted that it is planned for future extension. **The Applicant can meet this standard through Engineering Condition of Approval 21.**

k. Parcels larger than three acres shall provide streets as required in Chapter 12.04. The streets shall connect with existing or planned streets adjacent to the site.

Finding: See findings under section 12.04.007.

3. Building structures shall be complimentary to the surrounding area.
All exterior surfaces shall present a finished appearance. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear facades or decking shall be prohibited.
a. Alterations, additions and new construction located within the McLoughlin Conservation District, Canemah National Register District, and the Downtown Design District and when abutting a designated Historic Landmark shall utilize materials and a design that incorporates the architecture of the subject building as well as the surrounding district or abutting Historic Landmark. Historic materials such as doors, windows and siding shall be retained or replaced with in kind materials unless the community development director determines that the materials cannot be retained and the new design and materials are compatible with the subject building, and District or Landmark. The community development director may utilize the Historic Review Board's Guidelines for New Constriction (2006) to develop findings to show compliance with this section.
b. In historic areas and where development could have a significant visual impact, the review authority may request the advisory opinions of appropriate experts designated by the community development director from the design fields of architecture, landscaping and urban planning. The applicant shall pay the costs associated with obtaining such independent professional advice; provided, however, that the review authority shall seek to minimize those costs to the extent practicable.

Finding: Complies as proposed. The site is not within any special design districts or any designated historic districts. With the exception of the high school, the surrounding area of the site is predominantly single- family residential construction with traditional northwest vernacular; lap, shingle and board and batten siding with trim and accent features reminiscent of the craftsman style. The proposed building elevations for this project will utilize fiber-cement siding with 2 lap siding reveal depths with board and batten accent areas. A complimentary color palette will enhance the siding types and help integrate and the project into and enhance the community landscape. Further findings for compliance with the adopted Multi-Family Design Standards and Material standards is provided later in this report.

4. Grading shall be in accordance with the requirements of Chapter 15.48 and the public works stormwater and grading design standards.
Finding: Complies with Conditions. The improvements are located in areas where the site that has approximately a six percent grade across the site. It is anticipated that cuts may be up to 6 feet, and retaining walls may be used around the stormwater facility. A preliminary geotechnical report submitted as part of the application indicates that the site can be developed as proposed, with respect to grading. Review for compliance with grading design standards will take place prior to construction plan approval. The Applicant is responsible for this project's compliance with Engineering Policy 00-01. **The Applicant can meet this standard through Engineering Conditions of Approval 1 and 3.**

5. Development subject to the requirements of the Geologic Hazard overlay district shall comply with the requirements of that district.

Finding: Not applicable. The site is not within the Geologic Hazard Overlay District.

6. Drainage shall be provided in accordance with city's drainage master plan, Chapter 13.12, and the public works stormwater and grading design standards.
Finding: See findings under Chapter 13.12 of this report.

7. Parking, including carpool, vanpool and bicycle parking, shall comply with city off-street parking standards, Chapter 17.52.

Finding: See findings under Chapter 17.52.

8. Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and street design standards. Upon application, the community development director may waive this requirement in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made.

Finding: See findings under Chapter 12.04.007

Pedestrian Circulation System
9. A well-marked, continuous and protected on-site pedestrian circulation system meeting the following standards shall be provided:
a. Pathways between all building entrances and the street are required. Pathways between the street and buildings fronting on the street shall be direct. Exceptions may be allowed by the director where steep slopes or protected natural resources prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.
b. The pedestrian circulation system shall connect all main entrances on the site. For buildings fronting on the street, the sidewalk may be used to meet this standard. Pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required.
c. Elevated external stairways or walkways that provide pedestrian access to multiple dwelling units located above the ground floor of any building are prohibited. The community development director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard.
d. The pedestrian circulation system shall connect the main entrances of adjacent buildings on the same site.
e. The pedestrian circulation system shall connect the principal building entrance to those of buildings on adjacent commercial and residential sites where practicable. Walkway linkages to adjacent developments shall not be required within industrial developments or to industrial developments or to vacant industrially-zoned land.
f. On-site pedestrian walkways shall be hard surfaced, well drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be a minimum of seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the walkway shall be raised or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel. Pedestrian walkways that cross drive isles or other vehicular circulation areas shall utilize a change in textual material or height to alert the driver of the pedestrian crossing area.

Finding: Complies with Conditions. In general the overall site plan complies with this standard with the exception of the following portions of the site, where pedestrian access is lacking:

- The large landscaped island situated between Buildings A3 and T2 - there is no common pedestrian path connection to Beavercreek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
- The large landscaped island situated between Buildings A1 and T7 - there is no common pedestrian path connection to Beavercreek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
- Between Buildings T6 and T7 - there is no common pedestrian path connection to Beavercreek Road in this location;
- Between Buildings T1 and T2 – there is no common pedestrian path connection to Beavercreek Road in this location.
- The proposed pathway between the west end of Public Street B to Beavercreek Road between buildings T4 and T5 should be modified to a fully compliant public pedestrian and bicycle accessway. See section 12.04.199 for findings.

Pathways have been provided from all building entrances directly to the sidewalks located within the required rights-of-way. The Live/Work units in some instances have two pathways provided; one directly to the street with a short run of stairs to accommodate grade changes with a second path following grade providing an accessible route.

All main building entrances on site are interconnected through the pedestrian walkway system.

e. No adjacent developments exist; standard does not apply.

f. Proposed on-site pedestrian walkways will be hard surfaced and at least five feet wide and be visually distinguishable from adjoining surfaces. Wheel stops will be provided in parking areas where walkways are directly adjacent to parking spaces other than parallel spaces. All pedestrian walkways located along a public street will be separated from the auto travel lane by a minimum five foot landscape buffer. All walkways adjacent to internal parking areas shall be raised above the parking lot by a 6" curb. Pedestrian crossing areas shall be readily distinguishable to alert drivers of the crossing area.

Although staff finds that compliance is feasible, the applicant shall provide a revised plan set indicating common pedestrian path connections in the areas described in the bullet points above in order to provide safe and convenient pedestrian access throughout the site, with concurrent revisions to landscaping and civil plan sets. **See Planning Conditions of Approval 4 and 5.**

10. There shall be provided adequate means to ensure continued maintenance and necessary normal replacement of private common facilities and areas, drainage ditches, streets and other ways, structures, recreational facilities, landscaping, fill and excavation areas, screening and fencing, groundcover, garbage storage areas and other facilities not subject to periodic maintenance by the city or other public agency.

Finding: Complies as proposed. The applicant plans adequate maintenance of private improvements to the private grounds, including streets, drains and pathways.

11. Site planning shall conform to the requirements of OCMC Chapter 17.41 Tree Protection.

Finding: See findings under section 17.41.

12. Development shall be planned, designed, constructed and maintained to protect water resources and habitat conservation areas in accordance with the requirements of the city's Natural Resources Overlay District, Chapter 17.49, as applicable.

Finding: Not applicable. The site is not within the Natural Resources Overlay District.

13. All development shall maintain continuous compliance with applicable federal, state, and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference. Prior to issuance of a building permit, the community development director or building official may require submission of evidence demonstrating compliance with such standards and receipt of necessary permits. The review authority may regulate the hours of construction or operation to minimize adverse impacts on adjoining residences, businesses or neighborhoods. The emission of odorous gases or other matter in such quantity as to be readily detectable at any point beyond the property line of the use creating the odors or matter is prohibited.

Finding: Complies as proposed. Construction of all buildings is regulated Oregon City building code and compliance, Oregon City Engineering Policy 00-01 and other applicable nuisance code issues. Nothing within the application indicates that the application cannot comply with this standard.

Public Sewer and Water Facilities

14. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The city may require over sizing of facilities where

necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the city for over sizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.

Sanitary Sewer

Finding: Complies with Conditions. The applicant has proposed to construct a gravity sanitary sewer collection and conveyance system consisting of service laterals and mains. The system is proposed in city streets and in easements, and the proposed connection to the existing sanitary sewer system is at a manhole located at the end of Emerson Court. Portions of the proposed sewer mains are located in the existing Beavercreek Road, and in the proposed streets Meyers Road, Street A and Street B. There are also sanitary sewer mains proposed in the private alleys and parking lots. The proposed layout does not extend the sewer mains along the Beavercreek Road property frontage to the limits of the development in either direction as required. There is a substantial portion of the proposed collection system proposed in public easements that could instead be constructed in the City public right-of-way.

The following provides a summary of the findings and for more detailed findings, see the "Public Works Engineering File Memorandum, dated November 5, 2014, for SP 14-01 Staff Report Findings and Conditions for Sanitary Sewer and Water Service" – Exhibit 6b.

1. The adopted 2014 Sanitary Sewer Master Plan (SSMP), indicates that the land where the proposed development is located should be served from a future gravity sewer in Beavercreek Road, and served within the Beavercreek drainage basin. The SSMP studied the City's sewer needs to the City's Urban Growth Boundary and analyzed the City's trunk sewers making recommendations for upgrades and extensions to handle future growth and ultimate development within the Urban Growth Boundary. The SSMP includes the recommendation to collect and convey wastewater from future developments located on the east side of Beavercreek Road to the Beavercreek drainage basin.

2. The proposal is to change the discharge point and drainage basin, and convey the development's flows to the existing sewer system located on Glen Oak Road, and thus redefine the service areas of the sanitary sewer system within the Glen Oak basin. This effectively redirects the sanitary sewer flow from the proposed development to another drainage basin that was not planned to receive the flows. In addition, once the sanitary sewer is extended it is expected by future development to continue to be extended as far as it can. Therefore, the impact of the change of service area has a cascading affect that extends beyond the boundary of the development, which must be accounted for.

3. Based upon flow measurement and flow modeling the SSMP shows there are significant capacity deficiencies just downstream of Glen Oak Road on Highway 213, especially with buildout of planned developments upstream. Capital improvements in the form of upsizing pipes and infiltration and inflow (I/I) reductions are required to ensure the existing and future land developments have adequate sanitary sewer capacity within the service area.

4. The proposed change in the service boundary and the additional flow will further add to the capacity deficiencies. As part of the SSMP the effect of changing the service boundaries was modeled, and it showed there would be additional capacity issues along Glen Oak Road along with making the Highway 213 capacity issues increase. The model shows excessive surcharging, and an overflow on the Glen Oak sewers. The conclusion and recommendation of this analysis was that the best solution for the City was for the area in the proposed development to be served from Beavercreek Road.

5. The long term strategy to address the capacity issues in the Glen Oak service area and along Highway 213 is to reduce the infiltration and inflow (I/I) coming into the sanitary sewer. The proposed service area change sends more flow into the existing sewer pipes instead of reducing flows, which is counter to the long term strategy. Furthermore, it is not clear that the development's additional flow can be accounted for with further reductions in I/I.

6. The topography of the proposed development appears to provide sufficient grade to be served by gravity sewers in either the Beavercreek or Glen Oak basins. However, the land within the Glen Oak service can only be served by the Glen Oak basin. Changing the basin boundaries for this development

proposal exacerbates a known capacity problem and eliminates adequate public sanitary sewer service within the planned Glen Oak service area.

7. Sewer system upgrades are required to provide adequate sanitary sewer service. The SSMP modeling results, indicate routing the flows from this proposed development and adjacent properties to the Glen Oak basin requires capacity improvements in the Highway 213 collection system to manage the excessive surcharging and overflow conditions.

The sanitary sewer should be extended along Beavercreek Road from Meyers Road to the south end of the development instead of being located in an easement within private parking lots. The relocated main shall be 8-inches in diameter, instead of the 15-inch diameter main identified in the 2014 Sanitary Sewer Master Plan Update. The 15-inch diameter main cannot be designed correctly at this time with regard to alignment or elevation since the downstream portion of the main has not been designed or constructed yet. However, the 8-inch main shall be designed to accommodate a connection to the future 15-inch main as it is extended within Beavercreek Road to the subject property.

The portion of the pipe along Beavercreek Road that is north of Meyers Road cannot be constructed at this time as it is downstream, and cannot be connected to an existing sanitary sewer at this time. Therefore, the applicant shall pay cash-in-lieu of this portion of the 8-inch pipe.

The pipe in Beavercreek Road shall be located within the street section per the City Design Standards with adjustments made for the location of existing utilities.

The connection to the existing sanitary sewer system shall be made on Meyers Road instead of the easement off of Emerson Court. This will allow the pipe on Beavercreek Road to be constructed such that it flows north for the entire length and can be transferred to the future 15-inch main in Beavercreek Road.

The applicant will need to address the impacts in the Glean Oaks Sewer Basin due to additional and un-planned flows resulting from this development. The specific improvements required, the estimated cost of the improvements and the applicant's portion of the improvements has been documented in the Public Works Engineering File Memorandum (November 5, 2014). The applicant will be required to pay a fee-in-lieu for their portion of the required improvements equal to $545,000.

The applicant shall sign a Non-Remonstrance Agreement for the subject property for the purpose of making sanitary sewer, storm sewer, water or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement; this includes paying the document recording fee.

The applicant is responsible for this project's compliance with Engineering Policy 00-01.

The Applicant can meet this standard through Engineering Conditions of Approval 1, 2, 3, 9, 10, 34, 35, 36 and 37.

Water Facilities

Finding: Complies with Conditions. There are two existing water mains in Beavercreek Road. One is a 16 inch diameter main owned by the City of Oregon City operating pressure that is less than 40 psi at the site. This operating pressure does not provide the minimum standard service pressure required to serve the proposed development with two or three story buildings. There is also a waterline owned by Clackamas River Water (CRW) that also has an average operating pressure that is less than 40 psi at the site. This operating pressure does not provide the minimum standard service pressure required to serve the proposed development with two or three story buildings. CRW's water system includes a pump station and higher pressure zone (Beavercreek pressure zone) located approximately 800 feet south of the development site on Beavercreek Rd at Glen Oak Rd. The Beavercreek pressure zone has an average operating pressure that can provide the minimum standard service pressure to the development. The proposed development is within the City of Oregon City service area.

The applicant has proposed to construct a standard distribution system that is looped where possible and extended to the boundary of the development. A water service will be provided to each building, and a separate

meter would be provided to the community center and the irrigation system. The water mains are shown to be located in public right-of-way (ROW) as well as in easements.

The applicant has shown a water main parallel to Beavercreek Road located in an easement in the alley loops. Water services for the buildings along Beavercreek Road have been shown coming off of this line. This water main is not required, and the water services should be adjusted such that they come from the proposed new water main on Beavercreek Road. The water meters should also be located on Beavercreek Road.

The applicant has proposed to connect to the CRW water facilities on Beavercreek Rd at Glen Oak Rd off the Beavercreek pressure zone.

CRW Commissioners met on September 22, 2014, at CRW Work Session and discussed the Beavercreek Apartments request for water service (See CRW Comments in Exhibit 5a). CRW's Beavercreek pressure zone has sufficient water pressure and volume to meet the requirements of the development, and CRW is willing to supply the water under certain conditions. The conditions are:

1. The execution of an intergovernmental agreement (IGA) between the City and CRW providing the terms and conditions of water service to the proposed development.
2. The applicant shall be responsible for all costs associated with the design and construction of approximately 800 feet of 12-inch water line and a master meter, pipe and vault assembly sized to meter a combination of domestic and fire flow. The cost would include hydraulic modeling by CRW as well as review and inspection.
3. Once constructed and accepted the water distribution system would be donated to the City to be maintained and operated.
4. The master meter and vault assembly would be donated to CRW to be operated and maintained.

The master meter assembly will need to be sized for both domestic use and fire flow with accurate readings.

For further detailed findings, see the "*Public Works Engineering File Memorandum, dated November 5, 2014, for SP 14-01 Staff Report Findings and Conditions for Sanitary Sewer and Water Service*" – Exhibit 6b.

If these requirements can be met, then there will be an adequate water supply for the proposed development.

Clackamas Fire District #1 reviewed the proposal for compliance with the Oregon Fire Safety Code and provided comments (Exhibit 5b). Fire hydrant locations shall be adjusted as required to meet the Clackamas Fire District requirements.

The applicant shall sign a Non-Remonstrance Agreement for the subject property for the purpose of making sanitary sewer, storm sewer, water or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement; this includes paying the document recording fee.

The applicant is responsible for this project's compliance with Engineering Policy 00-01.

Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with Engineering Conditions of Approval 1, 2, 3, 4, 5, 6, 7, 8, 38 and 39.

15. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation. Compliance with [Chapter] 12.04, Streets, Sidewalks and Public Places shall be sufficient to achieve right-of-way and improvement adequacy.

Finding: Complies with Conditions. See section 12.04.007 of this report.

16. If a transit agency, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, accessible bus landing pad, lighting, or transit stop connection be constructed, or that an easement or dedication be provided for one of these uses, consistent with an agency adopted or approved plan at the time of development, the review authority shall require such improvement, using designs supportive of transit use. Improvements at a major transit stop may include intersection or mid-block traffic management improvements to allow for crossings at major transit stops, as identified in the transportation system plan.

Finding: See findings under OCMC 12.04.060. Tri-Met comments are provided in Exhibit 5e.

17. All utility lines shall be placed underground.

Finding: Complies as proposed. All utilities are proposed to be placed underground.

18. Access and facilities for physically handicapped people shall be incorporated into the site and building design consistent with applicable federal and state requirements, with particular attention to providing continuous, uninterrupted access routes.

Finding: Complies as proposed. Compliance with ADA requirements for accessibility by the disabled is reviewed at the time of building permit submittal. ADA standards are followed in the site design of the proposed development.

19. For a residential development, site layout shall achieve at least eighty percent of the maximum density of the base zone for the net developable area. Net developable area excludes all areas for required right-of-way dedication, land protected from development through Natural Resource or Geologic Hazards protection, and required open space or park dedication.

Finding: Not applicable. The maximum density of the mixed-use corridor base zone, MUC-1, is not specified in the Oregon City Municipal Code. Instead, the number of residential units on the site is affected by other site plan and design review standards, including but not limited to minimum and maximum building height, minimum landscaping requirements, minimum and maximum number of parking spaces, and the adequacy of public facilities such as sewer, water, stormwater and transportation system capacity.

20. Screening of Mechanical Equipment:

Finding: Complies with Conditions. Compliance with this section could not be determined based on the submitted site plans. The applicant indicates that if mechanical equipment is located on the roof; screening measures complying with this section will be included to fully conceal the equipment with materials used on the primary façade in a way that coordinates with the buildings architectural design. No through-wall mechanical units are planned for this project. If meters are installed in groups on the building's exterior, they will be properly screened from view through the use of plantings or a sight-obscuring enclosure constructed of one of the primary materials used on the primary façade of the building. Any ground mounted above-grade mechanical equipment shall be screened in a way consistent with this code section and as approved by the community development director and utility provider. All currently proposed and future mechanical equipment shall comply with the standards of this section. No solar energy panels, photovoltaic equipment or wind power generating equipment is proposed. Prior to issuance of a Building Permit, the applicant shall confirm to the satisfaction of the Planning Director that screening of mechanical equipment conforms as the applicant has proposed. Revised or supplemental plans indicating the appropriate screening shall be submitted if required by the Planning Director. **See Planning Condition of Approval 6.**

21. Building Materials.

Finding: Complies as proposed. According to the applicant's plans and materials board submittal, the building materials will fully comply with this section. a. Proposed building materials for this project include fiber-cement lap siding and fiber-cement board and batten siding. b. None of the listed prohibited materials are proposed for use with this project. c. 1. Concrete block may be selected for use in the construction of the trash enclosures. If so they will be the split-face style blocks with a color tint. 2. No metal siding has been proposed. 3. No EIFS is

proposed. 4. All fiber-cement and trim work to be painted prior to completion for full weatherization. All exterior surfaces shall be maintained by the property manager to prevent deterioration.

22. Conditions of Approval.
The review authority may impose such conditions as it deems necessary to ensure compliance with these standards and other applicable review criteria, including standards set out in city overlay districts, the city's master plans, and city public works design standards. Such conditions shall apply as described in Sections 17.50.310, 17.50.320 and 17.50.330. The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the city attorney.

Finding: Appropriate conditions of approval have been attached to ensure compliance with the applicable review criteria (Exhibit 1).

17.62.055 Institutional and commercial building standards.
A. Purpose.
The primary objective of the regulations contained in this section is to provide a range of design choices that promote creative, functional, and cohesive development that is compatible with surrounding areas. Buildings approved through this process are intended to serve multiple tenants over the life of the building, and are not intended for a one-time occupant. The standards encourage people to spend time in the area, which also provides safety though informal surveillance. Finally, this section is intended to promote the design of an urban environment that is built to human scale by creating buildings and streets that are attractive to pedestrians, create a sense of enclosure, provide activity and interest at the intersection of the public and private spaces, while also accommodating vehicular movement.

B. Applicability.
In addition to Section 17.62.050 requirements, institutional and commercial buildings shall comply with design standards contained in this section.

Finding: The applicant has addressed the requirements for commercial use in several other areas of their application, including required setbacks for commercial, live-work and residential structures in the MUC-1 zone. Additionally, a separate narrative on live-work units was submitted (Exhibit 2.a.vi) to show how the proposal fits the intent of the Beavercreek Road Concept Plan and Mixed Use Corridor zone.

Since the ground floor live-work units facing public streets are intended to provide commercial business opportunities, compliance with this section is required.

C. Relationship between zoning district design standards and requirements of this section.
1. Building design shall contribute to the uniqueness of the underlying zoning district by applying appropriate materials, elements, features, color range and activity areas tailored specifically to the site and its context.
2. A standardized prototype or franchise design shall be modified if necessary to meet the provisions of this section.
3. In the case of a multiple building development, each individual building shall include predominant characteristics, architectural vocabulary and massing shared by all buildings in the development so that the development forms a cohesive place within the underlying zoning district or community.
4. With the exception of standards for building orientation and building front setbacks, in the event of a conflict between a design standard in this section and a standard or requirement contained in the underlying zoning district, the standard in the zoning district shall prevail.
5. On sites with one hundred feet or more of frontage at least sixty percent of the site frontage width shall be occupied by buildings placed within five feet of the property line, unless a greater setback is accepted under the provisions of Section 17.62.055D. For sites with less than one hundred feet of street frontage, at least fifty percent of the site frontage width shall be occupied by buildings placed within five feet of the property line unless a greater setback is accepted under the provisions of Section D.

Finding: Complies with Conditions. The applicant has proposed appropriate materials, elements, features, color ranges and activity areas tailored to the unique site. The applicant has clearly designed the development to promote an urban, pedestrian friendly and walkable environment as envisioned in the Beavercreek Road Concept Plan and as conditioned in the 2010 zone change to MUC-1. This is a multiple building development that includes predominant characteristics, architectural vocabulary and massing shared by all building in the development. There are no conflicts identified between the underlying zone district and the requirements of this section. All public street frontages exceed one hundred feet, and the applicant has provided dimensions and plans indicating where the setbacks exceed the five-foot maximum, and has proposed additional pedestrian amenities in those locations in order to allow for the slightly increased setbacks. There is only one location where the number of pedestrian amenities appears lacking or has not been clearly indicated on the applicable plans. This locations is the northern corner of Building A1 where the setback exceeds 20' at the corner. The applicant shall provide a minimum of three amenities selected from list D1. Below in this area on the revised building plans prior to issuance of a building permit. **See Planning Condition of Approval 7.**

D. Relationship of Buildings to Streets and Parking.

1. Buildings shall be placed no farther than five feet from the front property line. A larger front yard setback may be approved through site plan and design review if the setback area incorporates at least one element from the following list for every five feet of increased setback requested:
a. Tables, benches or other approved seating area.
b. Cobbled, patterned or paved stone or enhanced concrete.
c. Pedestrian scale lighting.
d. Sculpture/public art.
e. Fountains/Water feature.
f. At least twenty square feet of landscaping or planter boxes for each tenant facade fronting on the activity area.
g. Outdoor café.
h. Enhanced landscaping or additional landscaping.
i. Other elements, as approved by the community development director, that can meet the intent of this section.
2. The front most architecturally significant facade shall be oriented toward the street and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.
3. Entryways. The primary entranceway for each commercial or retail establishment shall face the major street. The entrance may be recessed behind the property line a maximum of five feet unless a larger setback is approved pursuant to Section 17.62.055.D.1 and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined, highly visible and recessed or framed by a sheltering element including at least four of the following elements, listed below.
a. Canopies or porticos;
b. Overhangs;
c. Recesses/projections;
d. Arcades;
e. Raised corniced parapets over the door;
f. Peaked roof forms;
g. Arches;
h. Outdoor patios;
i. Display windows;
j. Architectural details such as tile work and moldings which are integrated into the building structure and design;
k. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
l. Planter boxes and street furniture placed in the right-of-way shall be approved for use according to materials, scale and type.
4. Where additional stores will be located in the large retail establishment, each such store shall have at least one exterior customer entrance, which shall conform to the same requirements. (Ord. 01-1002 §2, 2001)
5. Trellises, canopies and fabric awnings may project up to five feet into front setbacks and public rights-of-way, provided that the base is not less than eight feet at the lowest point and no higher than ten feet above the sidewalk. Awnings shall be no longer than a single storefront.

Finding: Complies with Conditions. Located within the MUC-1 zone the proposed site plan includes Live/Work units. As such portions of this section will apply to the proposed plans. The proposed site plan has buildings located between 7 and 9 feet from the front property setback. This setback requires the incorporation

of one element from the list provided in this section to allow an additional 5 feet of setback for a total of 10 feet. Line item h, enhanced landscaping has been selected and is represented on the landscape plans included with this submittal. There is only one location where the number of pedestrian amenities appears lacking or has not been clearly indicated on the applicable plans. This locations is the northern corner of Building A1 where the setback exceeds 20' at the corner. The applicant shall provide a minimum of three amenities selected from list D1. Below in this area on the revised building plans prior to issuance of a building permit. **See Planning Condition of Approval 7.**

E. Corner Lots.
For buildings located at the corner of intersections, the primary entrance of the building shall be located at the corner of the building or within twenty-five feet of the corner of the building. Additionally, one of the following treatments shall be required:
1. Incorporate prominent architectural elements, such as increased building height or massing, cupola, turrets, or pitched roof, at the corner of the building or within twenty-five feet of the corner of the building.
2. Chamfer the corner of the building (i.e. cut the corner at a forty-five-degree angle and a minimum of ten feet from the corner) and incorporate extended weather protection (arcade or awning), special paving materials, street furnishings, or plantings in the chamfered area.

Finding: Complies as proposed. The applicant has shown compliance with this section for all live-work units located in buildings located at public street intersections: this includes buildings T7, A1, A3, and the community center. The entrances to these buildings include the requirement prominent elements within 25 feet of the corner of the buildings in accordance with standards 1 and 2.

F. Commercial First Floor Frontage.
In order to ensure that the ground floor of structures have adequate height to function efficiently for retail uses, the first floor height to finished ceiling of new infill buildings in the mixed use and neighborhood commercial districts shall be no lower than fourteen feet floor to floor. Where appropriate, the exterior facade at the ceiling level of new structures shall include banding, a change of materials or relief which responds to the cornice lines and window location of existing buildings that abut new structures.

Finding: See finding in section 17.62.057(J) below for multi-family units located in mixed-use and commercial districts since the application includes a request for a modification to that standard to allow a 10-foot ceiling height.

G. Variation in Massing.

Finding: See finding in section 17.62.057(G) below for multi-family standards.

H. Minimum Wall Articulation.

Finding: See finding in section 17.62.057(G) below for multi-family standards.

I. Facade Transparency.

Finding: See finding in section 17.62.057(G) below for multi-family standards.

J. Roof Treatments.

Finding: See finding in section 17.62.057(G) below for multi-family standards.

17.62.057 MULTI-FAMILY STANDARDS.

A. Purpose.
The standards of this section are intended to promote high-quality multi-family residential development and construction; encourage visual variety and architectural compatibility; and promote an integrated character with Oregon City's existing neighborhoods. Specifically, the standards shall:
1. Promote architectural variety that adds visual interest to the neighborhood.

2. Reduce the apparent bulk and scale of large buildings.
3. Provide for a variety of housing types for a range of households and age groups.
4. Enhance public safety, residential streetscape and the pedestrian environment by diminishing the prominence of garages and parking areas.
5. Improve the compatibility of multi-family residential development with the residential character of surrounding neighborhoods.
6. Promote the use of durable materials that which are appropriate for multi-family residential use and which reduce long-term maintenance costs and depreciation.

Finding: The proposed project includes both traditional multi-family residential units as well as Live/work commercial units; the standards of this section apply to the proposed project.

B. Applicability.
In addition to Section 17.62.050 requirements, all multi-family buildings shall comply with the design standards contained in this section. Cottage Housing Development shall follow OCMC 17.62.58 instead of this section.

Finding: See discussion under section for compliance with Section 17.62.050, the following outlines compliance with the remainder of this section.

C. Setbacks.
Multi-family developments shall be placed no farther than twenty feet from the front property line. A deeper front yard setback may be approved through site plan and design review if the setback area incorporates enhanced pedestrian spaces and amenities, including but not limited to, street furniture, public art or other such deliberately shaped area and/or a feature or amenity that, in the judgment of the community development director, integrates well with adjoining areas. Setbacks may also be increased in order to protect wildlife habitat and water resources pursuant to Section 17.49.100F., and trees and tree groves pursuant to and Section 17.41.120A.

Finding: Complies with condition. All street-facing ground-floor units (with the exception of the two units of building C1) are live/work units and in combination with the requirements of Section 17.62.055 the average setback of all buildings is seven to nine feet. The setback was chosen to satisfy both the five-foot maximum setback of the commercial standards and the twenty-foot maximum of this section. An additional five-foot setback allowance per Section 17.62.055.D (by incorporating enhanced landscaping of 20 square feet per entrance) allows the proposed setback distance shown in the submitted plans. The selected setback not only meets the code requirements but also provides a more intimate pedestrian experience while maintaining enough privacy for the residential portion of the units.

The applicant has proposed to provide pedestrian amenities through the Site Plan and Design Review process as permitted under section 17.62.055 in order to increase these the setbacks proposed in these areas, but has not identified the type or extent of the stated amenities on the submitted landscaping and site plans.

There is only one location where the number of pedestrian amenities appears lacking or has not been clearly indicated on the applicable plans. This location is the northern corner of Building A1 where the setback exceeds 20' at the corner. The applicant shall provide a minimum of three amenities selected from list 17.62.055.D.1. in this area on the revised building plans prior to issuance of a building permit, and clearly indicate on the revised building and landscaping plans the number and type of pedestrian amenities in all locations exceeding 5' setback. **See Condition of Approval 7.**

D. Entrances.
Every building abutting a street shall have a street facing front facade. The facade shall be oriented to the street and include windows, doorways, and a structured transition from public to private areas using built elements such as porch features, arbors, low walls, trellis work and/or similar elements integrated with planting.

Finding: Complies as proposed. The applicant has proposed buildings that have been specifically designed and located on the site to follow the street grid that has been created. The 'front' or prominent architectural façade of all buildings have been oriented towards the nearest public street and includes a variety of architectural features.

On the townhome units a combination of covered porch areas and planting beds provide interest and a visual transition between the public and private space.

The apartments are much larger structures and use the modulation of the live/work units at street level to break up the mass into a more human scale. The individual entrances to the live/work units are highlighted by their closer proximity to the street as well as the enhanced planting areas around each entrance. The main entrance into the interior corridor of the apartment buildings is centered in the building and is recessed from the street and defined by wider pathways, enhanced planting areas and covered entryway.

The Clubhouse and C1 building employ similar techniques; cover entryways, planting areas and street-facing glazing to provide well-defined building entries that enhance the visual sense of the transition from public to private areas.

E. Percentage of Frontage.
On sites with one hundred feet or more of street frontage at least fifty percent of the site frontage width shall be occupied by buildings placed within twenty feet from the property line, unless a greater setback is accepted under the provisions of Section 17.62.057C. For sites with less than one hundred feet of street frontage, at least forty percent of the site frontage width shall be occupied by buildings placed within twenty feet of the property line, unless a greater setback is accepted under the provisions of Section 17.62.056D.

Finding: Complies as proposed. By designating a block size that allows for all of the parking to be located internally behind the buildings the proposed plan easily provides the required frontage. With the exception of two sections along new public Street A and Street B where required community open space is located (noted in table below) all frontages are exceeded. Frontage has been calculated along Beavercreek Road, the Meyers Road extension, and along new public streets A and B as shown in applicant's the table below:

Section 17.62.057.E Multi-Family Standards					
Frontage Segment		**Total Length**	**Building Frontage**	**Percentage**	**Notes**
Beavercreek Road					
	South of Meyers Road	726.69	520.5	71.63%	
	North of Meyers Road	147.6	88.42	59.91%	
Meyers Road					
	South side, Beavercreek to Street A	289.43	185	63.92%	
	South side, Street A to North PL	50.74	44.94	88.57%	
	North side				
Street A					
	South Side, Meyers to Street B	334.65	225.93	67.51%	
	South Side, Street B to East PL	225.42	220.8	97.95%	
	North Side, Meyers to Street B	346.15	275.43	79.57%	
	North Side, Street B to East PL	154.3	35	22.68%	A
Street B					
	South Side, Alley Loop to Street A	189.26	120	63.40%	
	South Side, Street A to East PL	133.87	96.5	72.08%	
	North Side, Alley Loop to Street A	189.26	0	0.00%	A
	North Side, Street A to East PL	188.95	120	63.51%	
Notes					
	A. Required community recreation/open space located within street frontage area.				

F. Pedestrian Circulation.
1. Pathways between dwelling units entrances and the street are required. Such pathways between the street and buildings fronting on the street shall be in a straight line. Exceptions may be allowed by the director where steep slopes prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.

2. The pedestrian circulation system shall connect all main entrances on the site. For townhouses or other residential units fronting on the street, the sidewalk may be used to meet this standard. For multiple-family developments, pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required.
3. Elevated external stairways or walkways, which provide pedestrian access to dwelling units located above the ground floor are prohibited. The community development director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard.

Finding: Complies with Conditions. Pathways have been provided from all building entrances directly to the sidewalks located within the required right-of-ways. The Live/Work units in some instances have two pathways provided; one directly to the street with a short run of stairs to accommodate grade changes with a second path following grade providing an accessible route.

Pedestrian pathways are provided throughout the site to allow access from any point on the site to all public amenities. All building entries and exits are connected directly to the sidewalk along the street which is used predominantly used to meet this standard.

No elevated external stairways or walkways are proposed; standard (3) does not apply.

Generally the site provides good pedestrian circulation except as described in the findings under section 17.62.050.(A).(9). **See Planning Condition of Approval 4.**

G. Architectural and Material Standards.
Building articulation and modulation - multifamily residential buildings and residential portions of mixed-use buildings. An alternative to the standards in subsection G. below may be approved by the community development director if the design is consistent with the intent of the standards and a specific architectural or building use exists that prohibits the full implementation of the standard.

***1. Articulation and modulation of buildings** is essential in providing the ability for new buildings to be compatible with the surrounding commercial and residential development. All residential buildings and residential portions of mixed-use buildings shall include at least three of the following modulation and/or articulation features at intervals of no more than thirty feet along all facades facing a street, common open space, and common parking areas:*
a. Repeating distinctive window patterns at intervals less than the required interval. Vertical building modulation. Minimum depth and width of modulation is thirty-six inches and four feet (respectively) if tied to a change in color or building material and/or roofline modulation. Otherwise, minimum depth of modulation is ten feet and minimum width for each modulation is fifteen feet. Balconies may not be used to meet modulation option unless they are recessed or projected from the facade and integrated with the building's architecture as determined by the community development director, balconies that appear to be "tacked on" to the facade will not qualify for this option.
b. Horizontal modulation (upper level step-backs). The minimum horizontal modulation for buildings higher than two stories shall be five feet. A dormer- set five feet back from the front facade-is an example of an acceptable horizontal modulation.
c. Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.

Finding: Complies as proposed. A number of elements have been included in the design of the proposed buildings in order to meet the articulation and modulation requirements. The apartment buildings have both vertical and horizontal modulation which contributes to the visual articulation of the ground floor, middle floors and roof line. With the live/work units on the ground floor, a portion of all the units are a full five feet in front of the floor above and neighboring wall sections with distinct window and door appearance which defines this portion of the structure. The middle floors are also vertically modulated in a semi-repetitive way at every 12' structural bay; balconies provide modulations that are deeper and wider than the 3 foot by 4 foot minimum and are incorporated into the overall massing, not tacked on. The modulation of the upper floors is what allows for a distinctive roofline that is modulated to follow the building below. The roof has been standardized for constructability while still maintaining a symmetrical design that provides breaks in the plane at roughly twenty-foot intervals. Gables are located along the roofline to provide additional visual breaks and are paired

with the locations of the horizontal modulation of the live/work units at the ground floor to add additional emphasis to these units.

The Townhomes follow many of the same techniques as the apartments. The ground floor area facing the street of all the units are to function as live/work spaces and have been designed with covered porch structures at the ground floor. These structures extend five feet out beyond the walls behind them and create the distinct visual articulation of the ground floor. The middle floors also include vertical modulation and repetitive window patterns to define this section of the building, and the roof line matches this modulation to create a distinctive roof line; completing the articulation requirements.

2. Maximum facades width.
Buildings visible from the street must use design techniques to break up long continuous building walls, reduce the architectural scale of the building, and add visual interest. Buildings exceeding one hundred twenty feet in width along the street front shall be divided by a thirty-foot wide modulation of the exterior wall, so that the maximum length of a particular facade is one hundred twenty feet. Such modulation must be at least twenty feet or deeper and extend through all floors. Decks and roof overhangs may encroach up to three feet (per side) into the modulation. The director will consider other design methods that are effective at reducing the perceived width of the building. Examples could include a combination of vertical and/or horizontal building modulation with a change in building materials or finishes, a clear change in building articulation and/or fenestration technique.

Finding: Complies as proposed. The majority of the buildings will be visible from either an existing street or a proposed new public street. The townhome buildings have been designed in three configurations, 3-unit, 4-unit and 6-unit buildings, with the longest being 96'-3" wide and as such meet the requirements of this section.

The apartment buildings do exceed the 120-feet maximum and have been designed to provide the required modulation to break up the continuous building. The buildings have been designed in two wings that meet at the main building entry at the center of the building. At 20 feet deep and 36.5 feet wide this main entry area is what provides the required modulation to break the wings into 120-foot lengths.

3. Roofline standards.
a. Single purpose residential buildings in residential districts must provide a pitched roof with minimum 6:12 roof pitch. The maximum width of any continuous roofline shall be thirty-five feet for single purpose residential buildings. Alternative roof designs will be considered provided design elements are included to help the building and its roofline fit into the site's context.
b. Mixed use buildings and stand-alone residential in commercial districts shall incorporate a roofline modulation. Specifically: For flat roofs or facades with a horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or 0.1 multiplied by the wall height (finish grade to top of wall). The maximum length of any continuous roofline shall be seventy-five feet.
c. Other roof forms consistent with the design standards herein may satisfy this standard if the individual segments of the roof with no change in slope or discontinuity are less than forty feet in width (measured horizontally).

Finding: Complies as proposed. The proposed rooflines of the buildings are a 6:12 slope throughout the project. By following the vertical modulation of the buildings as described in the previous sub-section the roofline has been visually broken into sections less than 35 feet measured horizontally.

H. Diversity of building types.
Multi-building developments of four or more buildings shall be required to provide different architectural designs to provide interest and variety. This is particularly important where multiple buildings front on the same street. Simple changes in building colors or reversal of basic facade designs are not sufficient to comply with this standard. Consider changes in vertical and/or horizontal articulation, fenestration, building materials, architectural style, and/or roof design.

Finding: Complies as proposed. The site plan includes a total of 13 proposed buildings comprised of 7 total building types. Three of the buildings are 3-story stacked-flat style buildings that share a similar appearance, the community center and building C1 are unique building types and the remaining 8 buildings are townhomes that are configured as 3-unit, 4-unit, 4-unit/jogged, and 6-unit buildings. Building placement along Beavercreek Road was important with the frontage exceeding 700 feet; the multiple townhome configurations were developed and placed strategically to ensure a varied look along this prominent public way. Color

configurations and the combination of siding reveal changes and other material variations, as well as landscaping, will provide additional diversity.

I. Diversity of unit types.
Multifamily buildings with more than twenty-five units are required to provide a diversity of housing types to allow for a range of households and age groups. Unit types are defined as the following:
Studio, one-bedroom, two-bedroom and three-bedroom units or an ADA accessible master bedroom and bathroom (ground floor or elevator access).
1. Developments of twenty-five to fifty units must provide two unit types representing a minimum of ten percent of the total units per unit type.
2. Developments of fifty-one to seventy-five units must provide three unit types representing a minimum of ten percent of the total units per unit type.
3. Developments of seventy-six units and above must provide four unit types representing a minimum of ten percent of the total units per unit type.

Finding: Complies as proposed. With 180 total units on site the code requirement for unit diversity for this project is four unit types representing a minimum of ten percent of the total units per type. The applicant provided a table (copied below) which provides the proposed unit counts of the project and demonstrates that in addition to 4 unit types of at least ten percent there are 2 additional unit types for a total of 6 unit types in the project. This does not include the Type A accessible units which would provide additional unit types.

17.62.057.I Multi---Family Standards --- Unit Type Diversity		
Unit Type	**Quantity**	**Percentage**
1---Bed/1---Bath Stacked Flat Units	58	**31.69%**
2---Bed/2---Bath Stacked Flat Units	47	**25.68%**
3---Bed/2---Bath Stacked Flat Units	10	5.46%
5---Bed/5---Bath Stacked Flat Units	6	3.28%
Total Stacked Flat Apartment Units	**121**	
Studio Live/Work Stacked Flat Units	11	6.01%
2---Bed/2---Bath Live/Work Stacked Flat Units	15	8.20%
Total Stacked Flat Apartment Live/Work Units	**26**	**14.21%**
3---Bed/2---Bath Live/Work Townhomes	**33**	**18.33%**
Total Units on Site	**180**	

J. Raised Ground Floor.
This is particularly important when dwelling units are within fifteen feet of a sidewalk or common parking area or for buildings in established neighborhoods that have an established pattern with raised dwelling units.
Where ground floor residential uses are permitted on the ground floor in commercial districts, developments shall incorporate a thirteen-foot tall ground floor height to allow future conversion to commercial uses where desirable. Such projects can utilize a false floor thirty-six inches above the ground for residential uses to increase residents' privacy.

Finding: Complies as proposed. The applicant has proposed a modification to this standard. According to the applicant the proposed site is located within the MUC-1 zone which allows commercial uses, however it is not strictly a commercial district and is not in a neighborhood with an established pattern of raised dwelling units. Staff concurs. The proposal includes buildings that are located within 15 feet of the sidewalks, so with a combination of the requirements happening within the site it is unclear how this standard would apply.

The proposed live/work units at the ground floor in part solve the applicant's proposal as a solution to this section. With the live/work units the spaces at ground level there will not be a conversion to commercial use as the space already is a commercial use. Because the commercial function of the space is already being met within the proposed live/work units there is no likelihood of a future commercial tenant requiring 13-foot ceilings. Therefore the applicant has proposed a 10-foot ceiling on all ground floor units to promote the aesthetic look of a commercial use from the exterior while providing a more residential scale to the residential portions of those units. The applicant's narrative on live-work units (Exhibit 2.a.vi) shows that many, if not all, of the commercial businesses that operate in live-work structures do not require 13 foot ceilings as they are not required to have extensive HVAC systems that typically are the reason for 13 foot ceilings in commercial spaces.

Additionally, the live-work units are required to show compliance with the following supplementary zoning code provisions of OCMC 17.54.105, as discussed below.

17.54.105 - Live/work units.
Live/work units provide important flexibility by combining residential and commercial uses and allowing for commercial uses on the ground floor when the market is ready to support them. These standards apply to all new live/work units. Live/work units that conform to the standards will be approved as a Type II decision and a live/work permit will be granted for the property. For all zones where live/work units are permitted, the following standards shall apply. Conditions of approval may be implemented to ensure compliance with the standards through a Type II process.

Finding: Of the total 180 units on site 59 are proposed to be Live/Work units (33 townhome units and 26 ground floor stacked flat apartment units). As described in the code the Live/Work units were selected for use in the proposed site plan to meet the requirements of the MUC-1 zone and vision of the Beavercreek Road Concept Plan's mixed employment village by "providing flexibility by combining residential and commercial uses and allowing for commercial uses on the ground floor when the market is ready to support them".

The proposed unit plans and elevations of the live/work units along with their placement on site meet the code criteria as follows:

A. The ground floor business shall provide visibility, signage and access from the primary street. The building in which the live/work dwelling is located shall architecturally differentiate the ground floor commercial/office space from the rest of the building by meeting the following requirements:
1. The main front elevation shall provide at least fifty percent transparency at the pedestrian level through the use of a storefront window system. The transparency is measured in lineal fashion (for example, a twenty-five-foot long building elevation shall have at least twelve and one-half feet (fifty percent of twenty-five feet) of transparency in length).
2. Windows shall begin thirteen to thirty inches above the sidewalk rather than continue down to street level. Large single paned windows over ten feet in width shall be divided into multiple panes to add human scale by dividing the vertical plane into smaller parts.
3. Highly reflective or glare-producing glass with a reflective factor of .25 or greater is prohibited on all building façades. Exceptions to this prohibition may be granted for LEED certified buildings when documented as part of the application and requested as part of the land use application.

Finding: Complies as proposed. All 59 live/work units on site face onto and are clearly visibly from either an existing or new primary street/public way with locations for signage provided individually for each unit. The main front elevation of the live/work space meets the 50% transparency requirement by utilizing a storefront system. Windows are located with the sill between thirteen and thirty inches above the sidewalk and shall not be highly reflective or glare-producing.

B. A live/work dwelling is allowed instead of, or in addition to, a home occupation as defined by OCMC Chapter 17.04. The business portion of the dwelling shall be limited to the ground floor and may not exceed fifty percent of the square footage of the entire dwelling, excluding the garage, or one thousand square feet, whichever is the smaller number.

Finding: Complies as proposed. The business portion of all 59 live/work units is limited to the ground floor and does not exceed fifty percent of the square footage of the unit. The business area of the units ranges from 175 to 300 square feet.

C. The primary entrance to the business must be located on the primary street frontage. Alley access is required to provide refuse and recycling service and residential parking. If alley access cannot be provided, an alternative parking and refuse and recycling service plan may be approved by the community development director if it meets the intent of the standards.

Finding: Complies as proposed. The 33 townhome units have primary business entrance oriented towards either Beavercreek Road or the Meyers Road extension with alley access for refuse and recycling service and residential parking. The 26 ground floor apartment live/work units have their primary business entrance facing onto the proposed new public streets A and B. The ground floor apartment units do not have alley access but are served by an internal corridor for residential access to and from parking and refuse services located behind the buildings as an alternate means of meeting the intent of separating business and residential functions of the unit.

D. The applicant must show that there is adequate on street or off-street parking for the proposed use. One parking space is required for every five hundred square feet of commercial, personal service, or office use or a portion thereof. For example, seven hundred square feet of commercial use requires two parking spaces. Adequate parking can be shown by meeting one of the following:
1. Shared Parking. Required parking may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature) or the live/work use is utilizing a parking space that is above the minimum parking requirement of the shared use, and that the shared parking facility is within one thousand feet of the potential uses, and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.
2. On-Street Parking. On-street parking dimensions for live/work units shall conform to the standards set forth in OCMC Section 17.52.010.C.
3. Onsite Parking. Parking spaces are provided onsite and meet the requirements of OCMC Chapter 17.52—Offstreet Parking and Loading.

Finding: Complies with Conditions. See findings under section 17.52.020.

E. The number of employees permitted onsite for employment purposes shall be limited to five persons at one time.

Finding: Complies as proposed. The number of employees shall be limited to five persons at one time.

F. The location of lots where live/work dwellings may be sited shall be specified on the subdivision plat (if applicable) and a deed restriction shall be placed on all units describing the restrictions placed upon these units. These include, but are not limited to, the following:
1. The work use shall not generate noise exceeding fifty-five-decibel level as measured at the lot line of the lot containing the live/work dwelling.
2. No outside storage of materials or goods related to the work occupation or business shall be permitted. Solid waste associated with the work use shall be stored inside the building and can be set out no more than four hours before the solid waste pickup.
3. No dust or noxious odor shall be evident off the premises.
4. If the business is open to the public, public access must be through the front door and the business may not be open to clients or the public before seven a.m. or after eight p.m.

Finding: Complies with Conditions. The applicant is aware that a restriction may be placed in the live-work units. Prior to issuance of a certificate of occupancy for any of the live-work units, the applicant shall record a deed restriction or other document prepared for approval by the City Attorney that includes the applicable restrictions of this section which shall be recorded with the County Recorder's office. Said document shall bind the owner, heirs and assigns in perpetuity unless extinguished with prior approval of the Oregon City Community Development Director. **See Condition of Approval 8.**

K. Building Materials.
All multifamily buildings shall be enhanced with appropriate details. Each of the types of details listed below are worth one point. Multifamily buildings must achieve the equivalent of five points worth of architectural details.
1. Decorative porch design with distinct design and use of materials.

2. Decorative treatment of windows and doors, such as decorative molding/framing details around all ground floor windows and doors, bay windows, decorative glazing, or door designs, and/or unique window designs.
3. Landscaped trellises or other decorative element that incorporates landscaping near the building entry or entries.
4. Decorative light fixtures with a diffuse visible light source, such as a globe or "acorn" that is non-glaring or a decorative shade or mounting for each building entry on the facade.
5. Brick or stonework covering more than fifteen percent of the facade.
6. Decorative building materials that add visual interest, including:
a. Individualized patterns or continuous wood details.
b. Decorative moldings, brackets, wave trim or lattice work.
c. Other materials with decorative or textural qualities as approved by the director. The applicant must submit architectural drawings and material samples for approval.
7. Decorative roofline design, including multiple gables and/or dormers, decorative parapet or other design that adds distinct visual interest.
8. Decorative railings, grill work, or terraced landscape beds integrated along the facade of the building.
9. Other details that meet the intent of the guidelines as approved by the director.

Finding: Complies as proposed. To meet the required five points for multifamily building materials the proposed buildings have included the following architectural details from the provided list:

1. Decorative porches on the townhome buildings
2. Enhanced landscape beds at building entries.
3. Decorative light fixtures at each building entry
4. Decorative roof line with multiple gables
5. Decorative railings on apartment balconies.
6. Decorative trimwork at ground floor windows and doors.

L. Window Design.
1. Transparent windows or doors facing the street are required. To meet this requirement, at least fifteen percent of the facade must be transparent. Transparency is measured at the first floor only.
2. All windows on all elevations shall recess or project individual windows at least two inches from the facade and incorporate window trim at least four inches in width that features color that contrasts with the base building color. Exceptions will be considered by the community development director where buildings employ other distinctive window or facade treatment that adds visual interest to the building.

Finding: Complies with Conditions. The applicant indicates in their narrative that all windows in the project will be detailed to provide the required 2" recess from the façade and will be trimmed with either 4" or 6" trim that will be of a contrasting color to the building base color. Numerous windows and doors face on to the street and as measured at the first floor the transparency is as follows:

i. Apartments – main entry elevations = 62%

- side street facing façade = 58%

ii. Townhomes – street facing façade = 45%

The applicant did not provide a structural or architectural detail indicating the required 2" recess or projection from all facades for individual windows. Prior to issuance of a building permit for any building on the site, the applicant shall provide such details on the submitted building permit application and plan set, and demonstrate to the satisfaction of the Oregon City Building Official and Planning Director that such proposed recess or projection meets the requirement of this section. This detail shall apply to all facades of all building and shall not be altered except through a Type II process. **See Condition of Approval 9.**

M. Common Open Space Requirements.
1. Intent. Creating areas of common open space that are easily accessed by residents provides focal points for community recreation and interaction and adds to the overall quality of life for residents. Given the environmental

and recreational benefits of common open space, it should be integrated purposefully into the overall design of a development and not merely be residual areas left over after buildings and parking lots are sited.

Finding: Not applicable. The proposed multi-family development is located in a site that is zoned as MUC-1 and therefore does not fall subject to the requirements of the section per item 2. However, common open spaces have been provided to enhance to overall project with common open spaces centrally located to be easily accessible by residents and to create focal points within the site. An open space located halfway along the Beavercreek frontage provides a visual break in the buildings along Beavercreek and is aligned with new Street B to provide a pedestrian link into the site. Further down street B at the intersection with Street A is the major common open space located on the west corner of the intersection. The pool area located to the east of the community center also provides additional community recreation space.

N. Private Open Space.
1. Private Open Space Required. All new multi-family developments in all zones except for the Mixed Use Corridor, Neighborhood Commercial or Mixed Use Downtown Districts, shall set aside a private open space for the use and enjoyment of the development's residents.

Finding: Not applicable / complies as proposed. The proposed project located in an MUC-1 zone shall comply with the requirements of line item 2 of the section. With 183 proposed units the area for common and private open space required by this section is 50 square feet per dwelling unit, which equals 9,150 square feet. In addition to the private decks of the apartment units common open space has been provided as follows:

Common Open Space		
Beavercreek mid---block open space		3000
Meyers Road North corner open space		3500
Intersection of Street A and Street B open space		7000
Community center pool area and open space		3600
Open space between buildings A1 and T7		2700
	Total Common Open Space Provided	**19800**

17.62.065 Outdoor lighting.
A. Purpose. The general purpose of this section is to require outdoor lighting that is adequate for safety and convenience; in scale with the activity to be illuminated and its surroundings; directed to the surface or activity to be illuminated; and designed to clearly render people and objects and contribute to a pleasant nighttime environment. Additional specific purposes are to:
1. Provide safety and personal security as well as convenience and utility in areas of public use or traverse, for uses where there is outdoor public activity during hours of darkness;
2. Control glare and excessive brightness to improve visual performance, allow better visibility with relatively less light, and protect residents from nuisance and discomfort;
3. Control trespass light onto neighboring properties to protect inhabitants from the consequences of stray light shining in inhabitants' eyes or onto neighboring properties;
4. Result in cost and energy savings to establishments by carefully directing light at the surface area or activity to be illuminated, using only the amount of light necessary; and
5. Control light pollution to minimize the negative effects of misdirected light and recapture views to the night sky.

B. Applicability.
1. General.
a. All exterior lighting for any type of commercial, mixed-use, industrial or multi-family development shall comply with the standards of this section, unless excepted in subsection B.3.
b. The city engineer/public works director shall have the authority to enforce these regulations on private property if any outdoor illumination is determined to present an immediate threat to the public health, safety and welfare.

2. Lighting Plan Requirement.

All commercial, industrial, mixed-use, cottage housing and multi-family developments shall submit a proposed exterior lighting plan. The plan must be submitted concurrently with the site plan. The exterior lighting plan shall include plans and specifications for streetlights, parking lot lights, and exterior building lights. The specifications shall include details of the pole, fixture height and design, lamp type, wattage, and spacing of lights.

Finding: Complies as proposed. The applicant submitted a photometric plan indicating proposed lighting levels in foot-candles (plan sheet C8), along with manufacturer specification sheets for each of the LED lighting features to be installed on the site.

3. Excepted Lighting.
The following types of lighting are excepted from the requirements of this section.
a. Residential lighting for single-family attached and detached homes, and duplexes.
b. Public street and right-of-way lighting.
c. Temporary decorative seasonal lighting provided that individual lamps have a light output of sixty watts or less.
d. Temporary lighting for emergency or nighttime work and construction.
e. Temporary lighting for theatrical, television, and performance areas, or for special public events.
f. Lighting for a special district, street, or building that, according to an adopted municipal plan or ordinance, is determined to require special lighting aesthetics as part of its physical character.
g. Lighting required and regulated by the Federal Aviation Administration.

Finding: Not applicable. The applicant has not proposed excepted lighting.

C. General Review Standard. If installed, all exterior lighting shall meet the functional security needs of the proposed land use without adversely affecting adjacent properties or the community. For purposes of this section, properties that comply with the design standards of subsection D. below shall be deemed to not adversely affect adjacent properties or the community.

Finding: See findings below.

D. Design and Illumination Standards.
General Outdoor Lighting Standard and Glare Prohibition.
1. Outdoor lighting, if provided, shall be provided in a manner that enhances security, is appropriate for the use, avoids adverse impacts on surrounding properties, and the night sky through appropriate shielding as defined in this section. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 footcandles of light as measured at the property line. In no case shall exterior lighting add more than 0.5 footcandle to illumination levels at any point off-site. Exterior lighting is not required except for purposes of public safety. However, if installed, all exterior lighting shall meet the following design standards:

Finding: Complies as proposed. The photometric plan indicates compliance with this standard.

2. Any light source or lamp that emits more than nine hundred lumens (thirteen watt compact fluorescent or sixty watt incandescent) shall be concealed or shielded with a full cut-off style fixture in order to minimize the potential for glare and unnecessary diffusion on adjacent property. All fixtures shall utilize one of the following bulb types: metal halide, induction lamp, compact fluorescent, incandescent (including tungsten-halogen), or high pressure sodium with a color rendering index above seventy.

Finding: Complies as proposed. The applicant has proposed new LED fixtures meeting the intent of this standard.

3. The maximum height of any lighting pole serving a multi-family residential use shall be twenty feet. The maximum height serving any other type of use shall be twenty-five feet, except in parking lots larger than five acres, the maximum height shall be thirty-five feet if the pole is located at least one hundred feet from any residential use.

Finding: Complies as proposed. The proposed mounting height for the two types of pole mounted fixtures are 12' and 20' tall, respectively.

Table 1-17.62.065. Foot-candle Levels

Location	*Min*	*Max*	*Avg.*
Pedestrian Walkways	*0.5*	*7:1 max/min ratio*	*1.5*
Pedestrian Walkways in Parking Lots		*10:1 max/min ratio*	*0.5*
Pedestrian Accessways	*0.5*	*7:1 max/min ratio*	*1.5*
Building Entrances	*3*		
Bicycle Parking Areas	*3*		
Abutting property	*N/A*	*.05*	

Finding: Complies as proposed. The photometric plan indicates compliance with this standard.

5. Parking lots and other background spaces shall be illuminated as unobtrusively as possible while meeting the functional needs of safe circulation and protection of people and property. Foreground spaces, such as building entrances and outside seating areas, shall utilize pedestrian scale lighting that defines the space without glare.

Finding: Complies as proposed. The photometric plan indicates compliance with this standard.

6. Any on-site pedestrian circulation system shall be lighted to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night. Pedestrian walkway lighting through parking lots shall be lighted to light the walkway and enhance pedestrian safety pursuant to Table 1.

Finding: Complies with Conditions. The applicant did not indicate the lighting levels for the pedestrian pathway system. Prior to issuance of a certificate of occupancy the applicant shall provide a revised lighting plan that shows how the pedestrian circulation system will be lighted per Table 1-17.62.065. **See Planning Condition of Approval 10.**

7. Pedestrian Accessways. To enhance pedestrian and bicycle safety, pedestrian accessways required pursuant to OCMC 12.28 shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of one-half foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances. Lamps shall include a high-pressure sodium bulb with an unbreakable lens.

Finding: Complies with Conditions. See also findings under section 12.04.199. The applicant is required to provide a pedestrian accessway pursuant to section 12.04.199. Prior to issuance of a certificate of occupancy the applicant shall provide a revised lighting plan that shows how the pedestrian circulation system, including the accessway, will be lit pursuant to this standard and Table 1-17.62.065. **See Planning Condition of Approval 10.**

8. Floodlights shall not be utilized to light all or any portion of a building facade between ten p.m. and six a.m.
9. Lighting on automobile service station, convenience store, and other outdoor canopies shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy.

Finding: Not applicable. The applicant has not proposed floodlighting or canopy lighting.

10. The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site.
11. In no case shall exterior lighting add more than one foot-candle to illumination levels at any point off-site.
12. All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non-operating hours.

Finding: Complies as proposed. The photometric plan indicates compliance with standards 10-12.

13. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.
14. For upward-directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the building roofline.
15. No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting.
16. Wireless Sites. Unless required by the Federal Aviation Administration or the Oregon Aeronautics Division, artificial lighting of wireless communication towers and antennas shall be prohibited. Strobe lighting of wireless communication facilities is prohibited unless required by the Federal Aviation Administration. Security lighting for equipment shelters or cabinets and other on-the-ground auxiliary equipment on wireless communication facilities shall be initiated by motion detecting lighting.
17. Lighting for outdoor recreational uses such as ball fields, playing fields, tennis courts, and similar uses, provided that such uses comply with the following standards:
i. Maximum permitted light post height: eighty feet.
ii. Maximum permitted illumination at the property line: 0.5 foot-candles.

Finding: Not applicable. The applicant has not proposed any of the lighting types in standards 13-17.

17.62.080 Special development standards along transit streets.
A. Purpose. This section is intended to provide direct and convenient pedestrian access to retail, office and institutional buildings from public sidewalks and transit facilities and to promote pedestrian and transit travel to commercial and institutional facilities.

Finding: Complies with Conditions. See also finding under section 17.62.050.A.9. Direct and convenient pedestrian access is a key feature of the proposed plan in order to provide access to the businesses utilizing the Live/work units throughout the site. The applicant provided a detailed discussion of the pedestrian circulation system has been provided under the responses to Sections 17.62.050.A.9 and 17.62.057.F Multifamily standards. In general the overall site plan complies with this standard with the exception of the following portions of the site, where pedestrian access is lacking:

- The large landscaped island situated between Buildings A3 and T2 - there is no common pedestrian path connection to Beavercreek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
- The large landscaped island situated between Buildings A1 and T7 - there is no common pedestrian path connection to Beavercreek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
- Between Buildings T6 and T7 - there is no common pedestrian path connection to Beavercreek Road in this location;
- Between Buildings T1 and T2 – there is no common pedestrian path connection to Beavercreek Road in this location.
- The proposed pathway between the west end of Public Street B to Beavercreek Road between buildings T4 and T5 should be modified to a fully compliant public pedestrian and bicycle accessway. See section 12.04.199 for findings.

The applicant shall provide a revised plan set indicating common pedestrian path connections in the areas defined above in order to provide safe pedestrian access throughout the site. **See Planning Condition of Approval 4.**

B. Applicability. *Except as otherwise provide in this section, the requirements of this section shall apply to the construction of new retail, office and institutional buildings which front on a transit street.*

Finding: Complies as proposed. While the proposed site does not currently front on any transit routes, the site has been designed to comply with this section because of the future plans to extend a current route down Beavercreek Road to a planned stop at the Meyers Road intersection with potential for further extension south

on Beavercreek Road. Tri-Met commented that they currently do not serve the corridor in this location but indicated no conflicts with the application (Exhibit 5e).

C. Development Standards.
1. All buildings shall have at least one main building entrance oriented towards the transit street. A main building entrance is oriented toward a transit street if it is directly located on the transit street, or if it is linked to the transit street by an on-site pedestrian walkway that does not cross off-street parking or maneuvering areas.
a. If the site has frontage on more than one transit street, or on a transit street and a street intersecting a transit street, the building shall provide one main building entrance oriented to the transit street or to the corner where the two streets intersect.
b. For building facades over three hundred feet in length on a transit street, two or more main building entrances shall be provided as appropriate and oriented towards the transit street.
2. Main building entrances shall be well lighted and visible from the transit street. The minimum lighting level for building entries shall be three foot-candles. Lighting shall be a pedestrian scale with the source light shielded to reduce glare.
3. In the event a requirement of this section conflicts with other requirements in Title 17, the requirements of this section shall control.
D. Exemptions. The following permitted uses are exempted from meeting the requirements of subsection C. of this section:
1. Heavy equipment sales;
2. Motor vehicle service stations, including convenience stores associated therewith;
3. Solid waste transfer stations; and
4. Truck stops, including convenience stores, eating or drinking establishments, overnight accommodations or other similar services associated therewith. A use found by the community development director to be similar to the exempt uses above.

Finding: Complies as proposed. Proposed townhome buildings T1 through T7 face onto Beavercreek road of which all units are Live/Work units. Each live/work unit has its main entrance oriented toward Beavercreek Road and will be provided with the required entry lighting. Building C1 is also located on Beavercreek Road and has its main entry located off of the open space at the intersection with Meyers Road. Clear access from the transit street to the main building entrance is provided through the open space.

17.62.085 Refuse and recycling standards for commercial, industrial, and multi-family developments.
The purpose and intent of these provisions is to provide an efficient, safe and convenient refuse and recycling enclosure for the public as well as the local collection firm. All new development, change in property use, expansions or exterior alterations to uses other than single-family or duplex residences shall include a refuse and recycling enclosure. The area(s) shall be:
A. Sized appropriately to meet the needs of current and expected tenants, including an expansion area if necessary;
B. Designed with sturdy materials, which are compatible to the primary structure(s);
C. Fully enclosed and visually screened;
D. Located in a manner easily and safely accessible by collection vehicles;
E. Located in a manner so as not to hinder travel lanes, walkways, streets or adjacent properties;
F. On a level, hard surface designed to discharge surface water runoff and avoid ponding;
G. Maintained by the property owner;
H. Used only for purposes of storing solid waste and recyclable materials;
I. Designed in accordance with applicable sections of the Oregon City Municipal Code (including Chapter 8.20—Solid Waste Collection and Disposal) and city adopted policies.

Finding: Complies as proposed. Trash enclosure locations are indicated on the proposed site plan by the letter 'T'. Four stand-alone trash enclosures are provided, located within close proximity of buildings A1, A2, A3 and C1 respectively. The enclosures will be screened by permanent walls on three sides with a gate on the fourth side facing onto the alley loop through which residents and the collection agency will access the bins. The trash enclosures will be designed in a style complimentary to the buildings and are located off the alley aisle as to not interfere with vehicle parking and circulation. Both trash and recycle bins will be provided to meet the estimated demand.

17.62.090 Enforcement.
A. Applications for site plan and design review shall be reviewed in the manner provided in Chapter 17.50. The city building official may issue a certificate of occupancy only after the improvements required by site plan and design review approval have been completed, or a schedule for completion and a bond or other financial guarantee have been accepted by the city.
B. In performing site plan and design review, the review authority shall consider the effect of additional financial burdens imposed by such review on the cost and availability of needed housing types. Consideration of such factors shall not prevent the imposition of conditions of approval found necessary to meet the requirements of this section. The cost of such conditions of approval shall not unduly increase the cost of housing beyond the minimum necessary to achieve the provisions of this title, nor shall such cost prevent the construction of needed housing types. The use of the site plan and design review provisions of this section shall have no effect on dwelling unit densities.

Finding: Complies as proposed. The applicant has reviewed this standard and acknowledged it. The application is not considered "Needed Housing" pursuant to the state definition.

17.62.095 Performance guarantees.
A. Purpose. This section states the requirements for performance guarantees when they are required of an applicant by this section or as a condition of a site plan and design review approval.
B. Types of guarantees. Guarantees by the applicant may be in the form of a performance bond payable to the city in cash, by certified check, time certificate of deposit, irrevocable letter of credit, or other form acceptable to the city. Indemnity agreements may be used by other governmental agencies. Guarantees must be accompanied by a contract. The form of the guarantee and contract must be approved by the city attorney. The community development director is authorized to accept and sign the contract for the city, and to accept the guarantee. The guarantee must be filed with the city recorder.
C. Amount of guarantee. The amount of the performance guarantee must be equal to at least one hundred ten percent of the estimated cost of performance. The applicant must provide written estimates by three contractors with their names and addresses. The estimates must include as separate items all materials, labor, and other costs of the required action.
D. Completion. An inspection and approval of the action or improvement covered by the performance guarantee is required before the performance guarantee is returned. The inspection is done by the Planning Division or by other appropriate city departments. If the action or improvement is not completed satisfactorily within the stated time limits, the city may have the necessary action or improvement completed and seek reimbursement for the work from the performance guarantee. Any remaining funds will be returned to the applicant.

Finding: Complies with Condition. Should performance guarantees be required in order to assure completion of specific site improvements prior to issuance of a certificate of occupancy the applicant shall provide such guarantee in a form approved by the city attorney. **The applicant can meet this standard through Planning Condition of Approval 12.**

CHAPTER 17.52 – OFF-STREET PARKING AND LOADING

17.52.010 Applicability.
The construction of a new structure or parking lot, or alterations to the size or use of an existing structure, parking lot or property use shall require site plan review approval and compliance with this chapter. This chapter does not apply to single- and two-family residential dwellings.

Finding: This chapter applies. The applicant is constructing parking areas within a mixed-use zone district.

17.52.015 Planning commission adjustment of parking standards.

Finding: Not applicable. The applicant is not requesting an adjustment of parking standards.

17.52.020 Number of automobile spaces required.

A. The number of parking spaces shall comply with the minimum and maximum standards listed in Table 17.52.020. The parking requirements are based on spaces per one thousand square feet net leasable area unless otherwise stated.

Table 17.52.020
Number of automobile spaces required.

Table 17.52.020 *Number of automobile spaces required.* ***LAND USE***	*PARKING REQUIREMENTS*	
	MINIMUM	*MAXIMUM*
Multi-Family: Studio	*1.00 per unit*	*1.5 per unit*
Multi-Family: 1 bedroom	*1.25 per unit*	*2.00 per unit*
Multi-Family: 2 bedroom	*1.5 per unit*	*2.00 per unit*
Multi-Family: 3 bedroom	*1.75 per unit*	*2.50 per unit*
Retail Store, Shopping Center, Restaurants	*4.10*	*5.00*
Office	*2.70*	*3.33*

1. Multiple Uses. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.
2. Requirements for types of buildings and uses not specifically listed herein shall be determined by the community development director, based upon the requirements of comparable uses listed.
3. Where calculation in accordance with the above list results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.
4. The minimum required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of vehicles used in conducting the business or use.
5. A change in use within an existing building located in the MUD Design District is exempt from additional parking requirements. Additions to an existing building and new construction are required to meet the minimum parking requirements for the areas as specified in Table 17.52.020 for the increased square footage.

Finding: Complies as proposed. The applicant prepared a table to calculate the amount of parking required:

Unit Type	**Quantity**	**Min. Parking Ratio**	**Max. Parking Ratio**	**Min. Stalls**	**Max. Stalls**
Studio Live/Work Stacked Flat Units	11	1	1.5	11	16.5
1---Bed/1---Bath Stacked Flat Units	58	1.25	2	72.5	116
2---Bed/2---Bath Live/Work Stacked Flat Units	15	1.5	2	22.5	30
2---Bed/2---Bath Stacked Flat Units	47	1.5	2	70.5	94
3---Bed/2---Bath Stacked Flat Units	10	1.75	2.5	17.5	25
5---Bed/5---Bath Stacked Flat Units	6	3	5	18	30
Total Stacked Flat Apartment Units	**147**			**212**	**311.5**
3---Bed/2---Bath Live/Work Townhomes	**33**	1.75	2.5	57.75	82.5
				min	**max**
Total Units on Site	**180**		**total parking**	**269.75**	**394**

The following table illustrates the amount of parking proposed by location and type:

Location / Type	# spaces
Beavercreek Road On-Street	26 (Future use)
Meyers Road On-Street	17
Street A – On-Street	27
Street B – On-Street Parallel	18
Street B – On-Street 90 degree	7 (see discussion below)
Bldgs T1-T7 (one car garages)	33
Bldgs T1-T7 (aprons)	33
Bldg C1 lot	17
Alley Loop A	40
Alley Loop B	61
Alley Loop C	78
Total	**331 (357 w/ on-street on Beavercreek Road)**

The applicant has proposed 331 spaces on the site which falls within the minimum and maximum requirements of 270 minimum spaces and 394 maximum spaces. Additionally, the applicant has proposed 26 on-street parking spaces along Beavercreek Road which are not included in the overall parking count, however this area will be an interim planting area and not a parking lane.

See below for further findings.

B. Parking requirements can be met either onsite, or offsite by meeting the following conditions:
1. Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (e.g. the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly, up to a maximum reduction of fifty percent, as determined by the community development director.
2. Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlay (e.g., uses primarily of a daytime versus nighttime nature), that the shared parking facility is within one thousand feet of the potential uses, and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument authorizing the joint use.
3. On-Street Parking. On-street parking may be counted toward the minimum standards when it is on the street face abutting the subject land use. An on-street parking space must not obstruct a required clear vision area and it shall not violate any law or street standard. On-street parking for commercial uses shall conform to the following standards:
a. Dimensions. The following constitutes one on-street parking space:
1. Parallel parking, each [twenty-two] feet of uninterrupted and available curb;
2. [Forty-five/sixty] degree diagonal, each with [fifteen] feet of curb;
3. Ninety degree (perpendicular) parking, each with [twelve] feet of curb.
4. Public Use Required for Credit. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.
C. Reduction of the Number of Automobile Spaces Required. The required number of parking stalls may be reduced in the Downtown Parking Overlay District: Fifty percent reduction in the minimum number of spaces required is allowed prior to seeking further reductions in [sub]sections 2. and 3. below:

Finding: Complies with Conditions. The applicant did not propose any mixed uses on the site that were not discussed above. The total parking provided on site is 331 stalls per 180 units for an average of 1.83 stalls per dwelling unit which falls within the range allowed as calculated in the table above.

The applicant has proposed adequate off-street parking as well as on-street parking for the Live-Work units. The applicant has not proposed nor is required to provide more parking than is required under this section.

None of the business areas exceed 500 square feet in area, therefore 1 stall per live/work unit is required for a total 59 stalls. Shared use of the on-street parking has been proposed for meeting the parking requirements for the live/work units. 26 on-street parallel stalls along Beavercreek Road would be available exclusively to the live/work units (not included in the overall site parking total as they are located on the existing public street) while the remaining parking needs are proposed to be met with on-street parking along Meyers Road extension and new internal public streets.

The on-street parallel parking within the site would not at any time be assigned to residents and the hours of business operation of the live/work units, and would not materially overlap the residential uses; the primary use hours for the live/work users would occur during the daytime hours while many residents are away.

The on-street parking proposed on Beavercreek Road will available for use when traffic and market conditions are appropriate. In the meantime, there are 33 apron parking spaces available for customers for the 33 townhome Live-Work units in addition to the 33 garage parking for townhome residents. The applicant purposely did not include the Beavercreek Road on-street parking spaces in the overall parking count, but once the additional spaces are available the site can claim an additional 26 spaces in addition to the 331 spaces provided within the site.

On-street parking has been included in the total parking stalls however the applicant indicates that the on-street parking will not be labeled in any way to restrict their use by the general public.

The applicant proposed seven "head-in" or 90-degree parking spaces on Street B abutting the community center. Per OCMC 17.52.030.A, groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. The applicant's transportation engineer shall provide an analysis and explanation showing that the proposed configuration is safe and does not create backing or unsafe maneuvering conditions in the public right-of-way, otherwise the applicant shall provide revised plans for the re-configuration, re-location of elimination of the 90-degree parking spaces. If needed, there is sufficient space to replace these seven spaces through the addition of four parallel parking spaces in front of the Community Center and three off-street spaces within easy walking distance of the Community Center. This is a minor revision that the applicant can provide through Condition of Approval 20.

Staff finds that the parking proposed can meet this standard through compliance with Engineering Condition of Approval 20.

1. Transit Oriented Development. For projects not located within the Downtown Parking Overlay District, the community development director may reduce the required number of parking stalls up to twenty-five percent when it is determined that a project in a commercial center (sixty thousand square feet or greater of retail or office use measured cumulatively within a five hundred-foot radius) or multi-family development with over eighty units, is adjacent to or within one thousand three hundred twenty feet of an existing or planned public transit street and is within one thousand three hundred twenty feet of the opposite use (commercial center or multi-family development with over eighty units).

Finding: Not applicable. This is not a TOD project within the Downtown Parking Overlay District.

2. Reduction in Parking for Tree Preservation. The community development director may grant an adjustment to any standard of this requirement provided that the adjustment preserves a regulated tree or grove so that the reduction in the amount of required pavement can help preserve existing healthy trees in an undisturbed, natural condition. The amount of reduction must take into consideration any unique site conditions and the impact of the reduction on parking needs for the use, and must be approved by the community development director. This reduction is discretionary.

Finding: Not applicable. The applicant has not requested an adjustment of the parking standards to preserve trees.

3. Transportation Demand Management.

Finding: Not applicable. The applicant has not proposed to utilize Transportation Demand Management.

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

Findings: Complies with conditions. See section 17.62.050 of this report.

B. Surfacing.
Required off-street parking spaces and access aisles shall have paved surfaces adequately maintained. The use of pervious asphalt/concrete and alternative designs that reduce storm water runoff and improve water quality pursuant to the city's stormwater and low impact development design standards are encouraged.

Findings: Complies as proposed. The applicant has proposed to use paved surfaces for the parking areas.

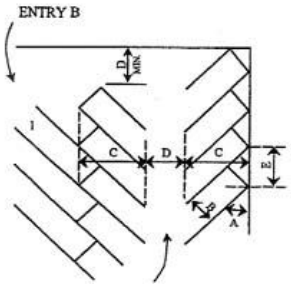
C. Drainage.
Drainage shall be designed in accordance with the requirements of Chapter 13.12 and the city public works stormwater and grading design standards.

Findings: Complies with conditions. See section 13.12.090 of this report.

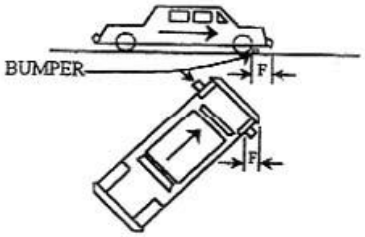
D. Dimensional Standards.
1. Requirements for parking developed at varying angles are according to the table included in this section. A parking space shall not be less than seven feet in height when within a building or structure, and shall have access by an all-weather surface to a street or alley. Parking stalls in compliance with the American with Disabilities Act may vary in size in order to comply with the building division requirements. Up to thirty-five percent of the minimum required parking may be compact, while the remaining required parking stalls are designed to standard dimensions. The community development director may approve alternative dimensions for parking stalls in excess of the minimum requirement which comply with the intent of this chapter.
2. Alternative parking/plan. Any applicant may propose an alternative parking plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. In such situations, the community development director may approve an alternative parking lot plan with variations to parking dimensions of this section. The alternative shall be consistent with the intent of this chapter and shall create a safe space for automobiles and pedestrians while providing landscaping to the quantity and quality found within parking lot landscaping requirements.
PARKING STANDARD

A Parking Angle		*B Stall Width*	*C Stall to Curb*	*D Aisle Width*	*E Curb Length*	*F Overhang*
0 degrees		*8.5*	*9.0*	*12*	*20*	*0*
30 degrees	*Standard* *Compact*	*9'* *8'*	*17.3'* *14.9'*	*11'* *11'*	*18'* *16'*	
45 degrees	*Standard* *Compact*	*8.5* *8.5*	*19.8'* *17.0'*	*13'* *13'*	*12.7'* *11.3'*	*1.4*

60 degrees	*Standard* *Compact*	*9'* *8'*	*21'* *17.9'*	*18'* *16'*	*10.4'* *9.2'*	*1.7*
90 degrees	*Standard* *Compact*	*9'* *8'*	*19.0'* *16.0'*	*24'* *22'*	*9'* *8'*	*1.5*



TYPICAL PARKING LAYOUT
;sz=9.5q; ENTRY A



NOTE: SPACE 1 CONTINGENT UPON ENTRY B

;sz=9.5q; OVERHANG
;sz=9.5q; NOTE: Overhang dimensions are intended to indicate possible location from parking area edge for location of bumpers.

E. Carpool and Vanpool Parking. New developments with seventy-five or more parking spaces, and new hospitals, government offices, group homes, nursing and retirement homes, schools and transit park-and-ride facilities with fifty or more parking spaces, shall identify the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other employee, student or commuter parking spaces with the exception of ADA accessible parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only."

Finding: Complies with Conditions. As shown on the site plan and discussed in the applicant's narrative, the proposal includes several group parking areas that are accessed by paved driveways that are located behind the buildings. In the interest of public safety, in no case are there groups of more than four parking spaces that would require backing up into public streets. No driveway slopes are greater than 15% and a conceptual drainage plan has been prepared by the civil engineer and submitted as part of this application package.

Per OCMC 17.52.030.A, groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. The applicant's transportation engineer shall provide an analysis and explanation showing that the proposed configuration is safe and does not create backing or unsafe maneuvering conditions in the public right-of-way, otherwise the applicant shall provide revised plans for the re-configuration, re-location of elimination of the 90-degree parking spaces. **See Planning Condition of Approval 12.**

Pursuant to standard E of this section the proposal is for a new development with more than 75 parking spaces. Regardless of the proposed use, the development is required to designate and identify the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking. Prior to Building Permit issuance, the applicant shall provide

a revised parking plan that conforms to Standard E which designates and identifies the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking. **See Planning Condition of Approval 11.**

The applicant's proposal to provide parallel parking along Beavercreek Road is supported by planning staff from an urban design perspective in order to promote improved customer access to ground floor commercial space that is expected within the live-work units.

However, the on-street parking proposal has met with some concern that the future desired condition is not immediately compatible with existing conditions today, which is a high volume semi-rural county arterial corridor with a posted speed limit of 40-mph, and that the safety of vehicles maneuvering into parallel parking spaces as well as travelling vehicles in the travel lane of Beavercreek Road may be compromised.

Therefore, the Beavercreek Road on-street parking spaces shall not be constructed. Instead this area shall be an interim landscaping strip / planting area until parking along Beavercreek Road is determined to be safe by the County or City. **See Engineering Condition of Approval 25.**

17.52.040 Bicycle parking standards.
A. Purpose-Applicability. To encourage bicycle transportation to help reduce principal reliance on the automobile, and to ensure bicycle safety and security, bicycle parking shall be provided in conjunction with all uses other than single-family dwellings or duplexes.

B. Number of Bicycle Spaces Required. For any use not specifically mentioned in Table A, the bicycle parking requirements shall be the same as the use which, as determined by the community development director, is most similar to the use not specifically mentioned. Calculation of the number of bicycle parking spaces required shall be determined in the manner established in Section 17.52.020 for determining automobile parking space requirements. Modifications to bicycle parking requirements may be made through the site plan and design, conditional use, or master plan review process.

*TABLE A Required Bicycle Parking Spaces**

USE	*MINIMUM BICYCLE PARKING*	*MINIMUM BICYCLE PARKING - COVERED - The following percentage of bicycle parking is required to be covered*
Multi-family (three or more units)	*1 per 10 units (minimum of 2)*	*50% (minimum of 1)*

Where two options for a requirement are provided, the option resulting in more bicycle parking applies. Where a calculation results in a fraction, the result is rounded up to the nearest whole number.
** Covered bicycle parking is not required for developments with two or fewer stalls.*

C. Security of Bicycle Parking. Bicycle parking facilities shall be secured. Acceptable secured bicycle parking area shall be in the form of a lockable enclosure onsite, secure room in a building onsite, a covered or uncovered rack onsite, bicycle parking within the adjacent right-of-way or another form of secure parking where the bicycle can be stored, as approved by the decision maker. All bicycle racks and lockers shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience and, when in the right-of-way shall comply with clearance and ADA requirements.
D. Bicycle parking facilities shall offer security in the form of either a lockable enclosure or a stationary rack to which the bicycle can be locked. All bicycle racks and lockers shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience.
Location of Bicycle Parking:
1. Bicycle parking shall be located on-site, in one or more convenient, secure and accessible location. The city engineer and the community development Director may permit the bicycle parking to be provided within the right-of-way provided adequate clear zone and ADA requirements are met. If sites have more than one building, bicycle parking shall be distributed as appropriate to serve all buildings. If a building has two or more main building entrances, the review authority may require bicycle parking to be distributed to serve all main building entrances, as it deems appropriate.
2. Bicycle parking areas shall be clearly marked or visible from on-site buildings or the street. If a bicycle parking area is not plainly visible from the street or main building entrance, a sign must be posted indicating the location of

the bicycle parking area. Indoor bicycle parking areas shall not require stairs to access the space unless approved by the community development director.
3. All bicycle parking areas shall be located to avoid conflicts with pedestrian and motor vehicle movement.
a. Bicycle parking areas shall be separated from motor vehicle parking and maneuvering areas and from arterial streets by a barrier or a minimum of five feet.
b. Bicycle parking areas shall not obstruct pedestrian walkways; provided, however, that the review authority may allow bicycle parking in the right-of-way where this does not conflict with pedestrian accessibility.
4. Accessibility.
a. Outdoor bicycle areas shall be connected to main building entrances by pedestrian accessible walkways.
b. Outdoor bicycle parking areas shall have direct access to a right-of-way.
c. Outdoor bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space, or fifty feet, whichever is less, unless otherwise determined by the community development director, city engineer, or planning commission.

Finding: Complies as proposed. Per Table A of this section a minimum of 1 bicycle parking stall is required for every 10 units in multi-family uses with three or more units with 50% of stalls required to be covered. For 183 proposed units on site, 18 bicycle stalls are required, 9 to be covered. The proposed site plan accounts for bicycle parking for the townhome units to be provided for within the attached garages; leaving the required stalls to be distributed among the stacked flat style buildings (A1-A3 and C1).

The proposed locations are indicated on the site plan at both ends of the buildings A1-A3 as well as at the parking lot side central entrance. Building C1 has a rack located in the plaza in front of the main building entrance. The locations shown represent stationary hoop-style bike racks securely attached to paved surfaces to which residents/visitors would utilize personal locks to store their bikes. The racks located at each end of buildings A1-A3 are positioned under a building cantilever above providing the code required cover.

All bike racks are located in close proximity to building entrances and adjacent to but not in the circulation path for convenience and to avoid conflicts with pedestrian and motor vehicle movement while maintaining direct access to a right of way.

The bicycle parking is shown in plan details on Sheets A1 and A2.

17.52.060 Parking lot landscaping.
Purpose. The purpose of this code section includes the following:
1. To enhance and soften the appearance of parking lots;
2. To limit the visual impact of parking lots from sidewalks, streets and particularly from residential areas;
3. To shade and cool parking areas;
4. To reduce air and water pollution;
5. To reduce storm water impacts and improve water quality; and
6. To establish parking lots that are more inviting to pedestrians and bicyclists.

Finding: Complies as proposed. See findings below.

A. Development Standards.
1. The landscaping shall be located in defined landscaped areas that are uniformly distributed throughout the parking or loading area.
2. All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.
3. Parking lot trees shall be a mix of deciduous shade trees and coniferous trees. The trees shall be evenly distributed throughout the parking lot as both interior and perimeter landscaping to provide shade.
4. Required landscaping trees shall be of a minimum two-inch minimum caliper size (though it may not be standard for some tree types to be distinguished by caliper), planted according to American Nurseryman Standards, and selected from the Oregon City Street Tree List;
5. Landscaped areas shall include irrigation systems unless an alternate plan is submitted, and approved by the community development director, that can demonstrate adequate maintenance;
6. All plant materials, including trees, shrubbery and ground cover should be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage and staggered flowering periods. Species found on the Oregon City Native Plant List are strongly encouraged and species found on the Oregon City Nuisance Plant List are prohibited.

7. The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of Chapter 10.32, Traffic Sight Obstructions.
8. Landscaping shall incorporate design standards in accordance with Chapter 13.12, Stormwater Management.

Finding: Complies as proposed. The applicant has prepared a landscaping plan that conforms to this section and sections B through E as described below, while respecting the need to provide for open spaces for a multi-family development within the Mixed Use Corridor zone.

B. Perimeter Parking Lot Landscaping and Parking Lot Entryway/Right-of-Way Screening.
Parking lots shall include a five-foot wide landscaped buffer where the parking lot abuts the right-of-way and/or adjoining properties. In order to provide connectivity between non-single-family sites, the community development director may approve an interruption in the perimeter parking lot landscaping for a single driveway where the parking lot abuts property designated as multi-family, commercial or industrial. Shared driveways and parking aisles that straddle a lot line do not need to meet perimeter landscaping requirements.
1. The perimeter parking lot are[a] shall include:
a. Trees spaced a maximum of thirty-five feet apart (minimum of one tree on either side of the entryway is required). When the parking lot is adjacent to a public right-of-way, the parking lot trees shall be offset from the street trees;
b. Ground cover, such as wild flowers, spaced a maximum of 16-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
c. An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average. The hedge/shrubs shall be parallel to and not nearer than two feet from the right-of-way line. The required screening shall be designed to allow for free access to the site and sidewalk by pedestrians. Visual breaks, no more than five feet in width, shall be provided every thirty feet within evergreen hedges abutting public right-of-ways.

Finding: Complies as proposed. To a large extent this standard does not apply since the parking areas proposed are either on-street, do not abut the right-of-way, or are located surrounding large lawn areas on the private alley loops located behind the buildings, which are placed in close proximity to the public Right-of-Way pursuant to other standards in the Site Plan and Design Review sections of Chapter 17.62. Along public streets, this standard is met through the use of the planter strip which is at least 5' wide in all cases. Elsewhere the perimeter parking lot standard has been met for the large 58-space lot along the northern property line, and for the parking lot serving Building C-1. The applicant has exceeded this standard.

C. Parking Area/Building Buffer.
Parking areas shall be separated from the exterior wall of a structure, exclusive of pedestrian entranceways or loading areas, by one of the following:
1. Minimum five-foot wide landscaped planter strip (excluding areas for pedestrian connection) abutting either side of a parking lot sidewalk with:
a. Trees spaced a maximum of thirty-five feet apart;
b. Ground cover such as wild flowers, spaced a maximum of sixteen-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
c. An evergreen hedge of thirty to forty-two inches or shrubs placed no more than four feet apart on average; or
2. Seven-foot sidewalks with shade trees spaced a maximum of thirty-five feet apart in three-foot by five-foot tree wells.

Finding: Complies as proposed. The applicant has proposed adequate parking area/building buffer landscaping where applicable in accordance with standard 1(a)-(c) for the parking lots that abut buildings A3, C1, and the Community Center.

D. Interior Parking Lot Landscaping.
Surface parking lots shall have a minimum ten percent of the interior of the gross area of the parking lot devoted to landscaping to improve the water quality, reduce storm water runoff, and provide pavement shade. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum total site landscaping required by Section 17.62.050(1) unless otherwise permitted by the dimensional standards of the underlying zone district. Pedestrian

walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. Interior parking lot landscaping shall include:
a. A minimum of one tree per six parking spaces.
b. Ground cover, such as wild flowers, spaced a maximum of sixteen-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.
c. Shrubs spaced no more than four feet apart on average.
d. No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them. Landscape strips shall be provided between rows of parking shall be a minimum of six feet in width and a minimum of ten feet in length.
e. Pedestrian walkways shall have shade trees spaced a maximum of every thirty-five feet in a minimum three-foot by five-foot tree wells; or
Trees spaced every thirty-five feet, shrubs spaced no more than four feet apart on average, and ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.

Finding: Complies as proposed. The applicant's landscaping plan sheets L1 through L5 were prepared by Steven Shapiro, ASLA, an Oregon registered Landscape Architect. The number of trees planted in the interior landscaping is adequate. All interior and perimeter parking lots have been landscaped per code. All trees selected will be a minimum of 2" caliper in size. All groundcover is spaced a maximum of 16" and no shrubs are spaced more than 4' on center. Tree spacing along pedestrian walkways and/or appropriately spaced shrubs and ground cover is proposed which meets this standard.

E. Installation.
1. All landscaping shall be installed according to accepted planting procedures, according to American Nurseryman Standards.
2. The site, soils and proposed irrigation systems shall be appropriate for the healthy and long-term maintenance of the proposed plant species.
3. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the city, such as the posting of a surety.

Finding: Complies as proposed. All interior and perimeter parking lots have been landscaped per code. All trees selected will be a minimum of 2" caliper in size. All groundcover is spaced a maximum of 16" and no shrubs are spaced more than 4' on center.

17.52.070 Alternative landscaping plan.

Finding: Not applicable. The applicant did not propose an alternative landscaping plan.

17.52.080 Maintenance.

Finding: Complies as proposed. The applicant acknowledges responsibility for the maintenance of all parking areas.

17.52.090 Loading areas.

Finding: Not applicable. The development proposal does anticipate the need to provide loading areas for vehicles with a 40-foot wheel-base pursuant to this section since it is primarily a residential development. Staff agrees.

CHAPTER 13.12 - STORMWATER MANAGEMENT
13.12.050 Pursuant to each of the subsections below, proposed activities may be required to meet the performance standards for stormwater conveyance, stormwater quantity or stormwater quality.

13.12.050.A. Stormwater Conveyance.
The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:

1. The conveyance facilities are located entirely on one privately owned parcel;
2. The conveyance facilities are privately maintained; and
3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits.
Those facilities exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the building official.

Finding: Complies with Conditions. Stormwater conveyance is required. Please refer to section 13.12.090 of this report for a discussion of storm water.

13.12.050.B. Stormwater Quantity Control.
The stormwater quantity control requirements of this chapter shall apply to the following proposed activities, uses or developments:
13.12.050.B.1. Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given seven-year period;

Finding: Not Applicable. The development is not within the Natural Resources Overlay District.

13.12.050.B.2 Activities that create more than two thousand square feet of impervious surface, cumulated over any given seven year period; or

Finding: Complies with Conditions. Stormwater quantity control is required. Please refer to section 13.12.090 of this report for a discussion of storm water. Storm water quantity control is required as there will be more than 2,000 square feet of new impervious area.

13.12.050.B.3 Redevelopment of a commercial or industrial land use that will disturb more than five thousand square feet of existing impervious surface. This five thousand square foot measurement cumulates over any given seven year period;

Finding: Not Applicable. The proposal is not redevelopment under this section.

13.12.050.B.4 An exemption to the stormwater quantity control requirements of this chapter will be granted in the following circumstances:
a. The development site discharges to a stormwater quantity control facility approved by the city engineer to receive the developed site runoff after verification that the facility is adequately sized to receive the additional stormwater, or,
b. The development site discharges to one of the following receiving bodies of water: Willamette River, Clackamas River or Abernethy Creek; and either lies within the one hundred year floodplain or is up to ten feet above the design flood elevation as defined in Chapter 17.42

Finding: Not Applicable. The proposed development does not meet the requirements of the exemption.

13.12.050.C. Stormwater Quality Control.
The stormwater quality control requirements of this chapter shall apply to the following proposed activities, uses or developments:
13.12.050.C.1. Category A. Activities subject to general water quality requirements of this chapter:
a. The construction of four or more single-family residences;
b. Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given seven year period; or
c. Activities that create more than eight thousand square feet of new impervious surface for other than a single-family residential development. This eight thousand square foot measurement will be considered cumulative for any given seven year period;

d. An exemption to the stormwater quantity control requirements of this subsection will be granted if the development site discharges to a stormwater quality control facility approved by the city engineer to receive the developed site runoff after verification that the facility is adequately sized to receive the additional stormwater.

Finding: Complies with Conditions. Please refer to section 13.12.090 of this report for a discussion of storm water. Storm water quality control is required as there will be more than 8,000 square feet of new impervious area.

13.12.050.C.2 Category B. Uses Requiring Additional Management Practices.
In addition to any other applicable requirements of this chapter, the following uses are subject to additional management practices as contained in the Public Works Stormwater and Grading Design Standards:
a. Fuel dispensing facilities;
b. Bulk petroleum storage in multiple stationary tanks;
c. Solid waste storage areas for commercial, industrial or multi-family uses;
d. Loading and unloading docks for commercial or industrial uses; or
e. Covered vehicle parking for commercial or industrial uses.

Finding: Not Applicable. The proposed work does not include these elements.

13.12.050.C.3 Category C. Clackamas River Watershed.
In addition to any other applicable requirements of this chapter, any development that creates new waste discharges and whose stormwater runoff may directly or indirectly flow into the Clackamas River is subject to additional requirements associated with Oregon Administrative Rules (OAR) 340-41-470 (Thee Basin Rule).

Finding: Not Applicable. No new waste discharges or new stormwater flow will occur with this development.

13.12.090 Approval criteria for engineered drainage plans and drainage report.
An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:
A. The plan and report demonstrate how the proposed development and stormwater management facilities will accomplish the purpose statements of this chapter;
B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under Section 13.12.020;
C. Unless otherwise exempted by Section 13.12.050(B), the plan and report includes adequate stormwater quantity control facilities, so that when the proposed land development activity takes place, peak rates and volumes of runoff:
1. Do not exceed the capacity of receiving drainage conveyance facilities;
2. Do not increase the potential for streambank erosion; and
3. Do not add volume to an off-site closed depression without providing for mitigation.
D. Unless otherwise exempted by Section 13.12.050(C), the proposed development includes:
1. Adequate stormwater quality control facilities, so that when the proposed land development activity takes place, the temperature and overall pollution level of stormwater runoff is no greater than the water entering. When no water enters a project, then stormwater runoff shall be compared to rain samples; and
2. Stormwater quality control facilities which:
a. Are in compliance with applicable National Pollutant Discharge Elimination System (NPDES) requirements;
b. Minimize the deterioration of existing watercourses, culverts, bridges, dams and other structures; and
c. Minimize any increase in nonpoint source pollution.
E. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.
F. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams. The postdevelopment peak stormwater discharge rate from a development site for the two year, twenty-four hour duration storm event shall not exceed fifty percent of the two year, twenty-four hour predevelopment peak runoff rate.
G. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.

Finding: Complies with Conditions. The applicant has provided a preliminary stormwater report and a preliminary stormwater plan. The proposed plan shows that all of the stormwater will be directed to the

existing roadside ditch on Beavercreek Road at the northerly end of the development. The proposed system includes the following elements:

The parking area and buildings A1, T5, T6 and T7 will be collected and discharged to a private underground detention pond. This is followed by a flow control manhole, cartridge filer system for treatment, and a high flow bypass of the treatment. This discharges to the proposed public storm main on Meyers Road.

The remainder of the stormwater management system south of Meyers Road is collected and discharged to a public stormwater pond that provides both detention and treatment. This also discharges to the public storm main on Meyers Road. This system collects both public stormwater from the streets, and private storm water from the buildings and two parking lots.

The stormwater generated from the area north of Meyers Road will be collected and run through a water quality manhole before discharging to the public system on Meyers Road. The applicant has not proposed detention for this part of the system.

A vegetated swale is proposed along Beavercreek Road intended to provide both detention and treatment before discharging to the public collection system at Meyers Road.

All of the stormwater is then discharged to the roadside ditch on Beavercreek Road.

The applicant has indicated in the preliminary stormwater drainage report there will be no downstream impact due to detention requirements.

A review of the existing conditions and topography indicates that a portion of the stormwater run-off is likely to flow away from Beavercreek Road. There is an existing natural drainage that is on the east side of the site and runs roughly parallel with Beavercreek Road. There is a second smaller drainage that eventually discharges to Beavercreek Road. A portion of the existing stormwater run-off is likely to flow to the drainage instead of the road thereby discharging to a new location which may not have the capacity regardless of the detention. The downstream analysis submitted is not sufficient to show there will be no impacts.

The applicant shall provide a more detailed downstream analysis and identify the implications of the change of discharge location. The results of the analysis could signal additional stormwater management improvements, such as increased detention, enlarged capacity and erosion prevention measures specific to the discharge location.

The applicant shall sign a standard "Maintenance Covenant and Access Easement". The developer will be responsible for operating and maintaining the private storm water facilities including collection piping, detention and treatment facilities. The City will be granted access to inspect the stormwater facilities, and retain authority to require maintenance or repairs to the facilities by the developer.

Detention is not provided for the entire site in the proposed stormwater management system. Locations that are not detained include Meyers Road and the portion of the site north of Meyers Road. The applicant shall either provide additional detention facilities or over-detain the rest of the site in order to meet the standards.

Stormwater treatment is not provided for Meyers Road. The applicant will need to provide treatment such as a Low Impact Development (LID) method prior to discharge to the public system. This would be consistent with the Beavercreek Concept Plan.

The applicant has indicated that they may construct stormwater swale along Beavercreek Road, located between the proposed on-street parking and sidewalk on Beavercreek Road. This will cause people to either walk through the storm facility or on Beavercreek Road until they can access a crosswalk. The applicant will need to address this issue through modifying the swale design to incorporate pedestrian egress zone with sidewalk connectors across the stormwater swale. If stormwater swales are not constructed, the applicant shall meet the requirements of providing stormwater detention and treatment through the other proposed stormwater facilities and over detention within the proposed stormwater pond as may be determined through the final stormwater management plan.

Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with Engineering Conditions of Approval 1, 2, 3, 11, 12, 13, 14, 15 and 16.

EXHIBITS

Exhibits listed as (On-File) are available for review by contacting the Planning Division.

1. Conditions of Approval (See in front of Staff Report)
    a. Community Development - Planning Division
    b. Public Works - Engineering Services Division
2. Application (On-File)
    a. Initial Application submitted
        i. Narrative
        ii. Materials and Colors
        iii. Pre-Application Notes
        iv. Arborist Report
        v. Archeological Reports
        vi. Live-Work Concept Narrative
        vii. Transportation Impact Analysis
        viii. Neighborhood Meeting Notes
        ix. Stormwater Analysis
        x. Title Report
    b. Additional Completeness Items
        i. Plan Revisions
        ii. Narrative
        iii. Code Responses
    c. Floor Area Ratio Calculations
    d. Revised application materials
        i. Sewer Analysis by Keller and Associates
        ii. CRW Water connection proposal
    e. Parking Calculations
3. Public Notice (On-File)
    a. First Public Notice
    b. Second Public Notice
4. Public Comments (On-File)
    a. First Public Notice
        i. Ron and Wendy Carter
        ii. Caufield NA
        iii. Graser / Lindsay
        iv. Oliveira
        v. Gufreda
        vi. Hamlet of Beavercreek
        vii. Kosinski
    b. Second Public Notice (On-File)
        i. Graser / Lindsay
        ii. Kosinski
        iii. Mary Johnson
        iv. Ron and Wendy Carter
5. Agency Comments (On-File)
    a. Clackamas River Water (CRW)
    b. Clackamas Fire District #1 (CCFD#1)
    c. Clackamas County Planning
    d. ODOT
    e. Tri-Met

6. Staff Review Comments (On-File)
    a. Transportation Consultant, Replinger and Associates
    b. Public Works Memorandum: "Public Works Engineering File Memorandum, dated November 5, 2014, for SP 14-01 Staff Report Findings and Conditions for Sanitary Sewer and Water Service"
7. Planning Annexation File AN 07-02 (On-File)
    a. City Ord. # 1021
    b. Metro File CL 1807
8. Planning Re-Zoning File ZC 10-01 (On-File)
    a. City Ord. #10-1012
    b. DLCD Adoption Notice 02-0010
    c. Notice of Decision / Conditions of Approval
9. Applicant's email extending 120-day decision deadline (On-File)

OREGON CITY

Community Development – Planning

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

NOTICE OF DECISION (NOD)
CITY COMMISSION DECISION ON APPEAL

Date of Decision: March 4, 2015
Date of Mailing of Notice of Decision: March 11, 2015

FILE NUMBERS: **AP 14-01:** Appeal by Applicant of SP 14-01 Conditions of Approval.
AP 14-02: Appeal by Elizabeth Graser-Lindsey of SP 14-01 Approval.

APPELLANTS: AP 14-01: (for Applicant) Beavercreek Road LLC, Attn: Steven Hultberg.
AP 14-02: Elizabeth Graser-Lindsey

APPLICANT: Andrew Brand, Beavercreek Road LLC, 600 University St, Suite 1708, Seattle, WA 98101, (206) 535-6248

OWNER: Same as Applicant.

LOCATION: 19896 Beavercreek Rd, Oregon City OR 97045,
Clackamas County Map 3-2E-10C Tax Lot 800

ZONING: "MUC-1" - Mixed Use Corridor District

PROPOSAL: SP 14-01, a Site Plan and Design Review application for 120 Apartment Units and 59 Live-Work Units on 9.7 acres (Zoned MUC-1).

DECISION: On March 4, 2015, after reviewing all of the evidence in the record and considering all of the arguments made by the applicant, appellant and citizens, the City Commission concluded that the criteria for the approval of the proposed Site Plan and Design Review Application had been met with conditions. The City Commission approved revisions to Conditions of Approval #'s 2, 34, and 37. Accordingly, the City Commission voted 4-0 to adopt findings for denial of the two appeals, AP 14-01 and AP 14-02, upholding the Community Development Director's decision to approve file SP 14-01, with amended conditions. **The Appeals are denied.** ***Pursuant to OCMC 17.50.030(B), 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.***

The complete record for this decision is available from the Planning Division and at the project websites:

AP 14-01 / AP 14-02:
http://www.orcity.org/planning/landusecase/ap-14-01-and-ap-14-02-appeals-sp-14-01-beavercreek-road-livework-and-apartment-

SP 14-01:
http://www.orcity.org/planning/landusecase/sp-14-01-beavercreek-road-apartments-live-work-units

OREGON CITY

Community Development – Planning

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

AP 14-01 / AP 14-02 (SP 14-01)
Notice of Decision
Mailed: 3/11/2015

IN-HOUSE DISTRIBUTION	MAIL-OUT DISTRIBUTION
☑ Building Official	☐ Citizen Involvement Council (CIC)
☑ Public Works - Development Services	☑ Neighborhood Association Chair (Caufield)
☑ City Engineer	☑ Neighborhood Association land Use Chair (Caufield)
☑ Public Works Director	☑ Fire Marshal
☐ Geotechnical Services (GIS)	☑ Clackamas County – Ken Kent
☐ Parks Manager	☑ Oregon City School District
☐ Addressing	☑ Tri-Met
☑ Transportation – Replinger and Associates	☑ Oregon Dept. of Transportation
☑ Engineering – Gordon Monro - TetraTech	☐ DLCD
	☑ Other:___See attached list

Copies of NOD Mailed To:

1. Appellant / Applicant: Beavercreek Road LLC – Andrew Brand
2. Appellant: Elizabeth Graser-Lindsey
3. Steve Hultberg, Attorney for Applicant / Appellant Beavercreek Road LLC
4. Hamlet of Beavercreek – Tammy Stevens, Chair
5. Hamlet of Beavercreek – Christine Kosinski, Speaker
6. Paul Edgar, Oregon City
7. Doug Neeley, Oregon City
8. Tom O'Brien, Oregon City
9. Bob Mahoney, Oregon City
10. Mary Johnson, Oregon City
11. Ron and Wendy Carter, Oregon City
12. Mike Mermelstein, Caufield N.A., Oregon City
13. Mike Fernandez, Oregon City
14. Brian Todd, Oregon City
15. Carina DeOliveira, Clackamas County (Old Acres Ln)
16. Stephen Gufreda, Clackamas County (Old Acres Ln)

BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

ELIZABETH GRASER-LINDSEY,
Petitioner,

vs.

CITY OF OREGON CITY,
Respondent,

and

BEAVERCREEK ROAD, LLC,
Intervenor-Respondent.

LUBA No. 2015-013

FINAL OPINION
AND ORDER

Appeal from City of Oregon City.

Elizabeth Graser-Lindsay, Beavercreek, filed the petition for review and argued on her own behalf.

Carrie A. Richter, Portland, filed a joint response brief and argued on behalf of respondent. With her on the brief was Garvey Schubert & Barer.

Steven P. Hultberg, Portland, filed a joint response brief and argued on behalf of interveror-respondent. With him on the brief were Allison J. Reynolds and Radler White Parks & Alexander LLP.

HOLSTUN, Board Member; BASSHAM, Board Chair; RYAN Board Member, participated in the decision.

AFFIRMED 08/06/2015

You are entitled to judicial review of this Order. Judicial review is

governed by the provisions of ORS 197.850.

Opinion by Holstun.

NATURE OF THE DECISION

Petitioner appeals a city commission decision that grants site plan and design review approval for 121 rental apartments and 59 live-work units on 9.7 acres located on the eastern edge of Oregon City, across Beavercreek Road from Oregon City High School.

INTRODUCTION

The subject 9.7 acres were included in a 122-acre annexation in 2007. Petitioner filed an appeal to LUBA to challenge that annexation. LUBA affirmed that annexation ordinance. *Graser-Lindsey v. City of Oregon City*, 56 Or LUBA 504 (2008) (*Graser-Lindsey I*). In 2008, the city adopted the Beavercreek Road Concept Plan (BRCP) for a 453-acre area that includes the 9.7 acres. Petitioner appealed that decision to LUBA, and LUBA remanded the BRCP decision. *Graser-Lindsey v. City of Oregon City*, 59 Or LUBA 388 (2009) (*Graser-Lindsey II*). The city has not yet re-adopted the BRCP.

The overarching issue in this appeal is whether the city erred by granting site plan and design review approval for the proposed development, before it has re-adopted the BRCP. Petitioner contends the BRCP is the document that must guide planning and zoning within the BRCP area, as well as the document that guides extension of the sewer, water and transportation facilities that will be necessary to serve urban development of that 453-acre area. Petitioner contends the city's decision to grant site plan and design review approval for the proposed development of the 9.7 acres before the city has an adopted BRCP in place violates applicable law. The city and intervenor-respondent (respondents) take the position that many of the "applicable laws" that petitioner relies on are not applicable to limited land use decisions like the

decision in this appeal, or do not apply for other reasons. Respondents also take the position that when the 9.7 acres were rezoned in 2010, that 2010 rezoning decision, which was not appealed, specifically provided that the subject property could be developed before the BRCP was re-adopted.

In our decision in *Graser-Lindsey II*, we discussed in some detail the planning that Title 11 of Metro's Urban Growth Management Functional Plan (UGMFP) requires of local governments when Metro expands the urban growth boundary (UGB) to include formerly rural lands. *Graser-Lindsey II*, 59 Or LUBA 395-400. We do not repeat that detail here. For the current appeal it suffices to note that Title 11 requires cities to prepare and adopt concept plans to ensure that city plans and land use regulations are consistent with the "design types" that have been applied to lands within the UGB by the Metro 2040 Growth Concept and Regional Framework Plan. There does not appear to be any dispute that any lands within the 453-acre BRCP area that were first included within the UGB *after* adoption of Title 11 are subject to Metro's Title 11 concept planning requirements.

LUBA's decision in *Graser-Lindsey I* states that all 122 acres that were annexed to the city in 2007 were included in the UGB by Metro in 2002.[1] 56 Or LUBA at 507. Since Title 11 was adopted before 2002, our decision in *Graser-Lindsey I* assumed that all 122 acres would be subject to Title 11 planning requirements, including the requirement for adoption of a concept plan prior to approval of urban development on those 122 acres. Apparently that is a correct assumption for most of the 122 acres, but the 9.7 acres at issue in this appeal were included in the UGB in 1979, *before* Metro's Title 11

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[1] The city represented that this was the case in *Graser-Lindsey I*.

planning requirements took effect. Because the 9.7 acres were included in the UGB before Metro's Title 11 planning took effect, respondents now take the position that Metro's Title 11 planning, and in particular the requirement under Title 11 that concept plans precede approval of urban development, does not apply to the 9.7 acres. Petitioner disputes that position and contends that the Oregon City Comprehensive Plan (OCCP) and Oregon City Municipal Code (OCMC) require that a concept plan must be adopted prior to development of the 9.7 acres, even if Metro Title 11 does not.

In our decision in *Graser-Lindsey I*, we rejected petitioner's arguments that a number of OCCP and OCMC standards required that the city adopt the BRCP before the 122 acres could be annexed. We also rejected petitioner's arguments that OCCP policies and OCMC standards regarding extension and funding of public facilities must be found to be satisfied before the requested annexation could be approved. The city argued that LUBA should reject those arguments, in part, because the county FU-10 zoning that would continue to apply to the annexed properties would operate as a holding zone to preclude urban development of the 122 acres while in place, and that the FU-10 zone would remain in place on those properties until the BRCP was adopted. After the BRCP is adopted, the properties would be planned and zoned for urban development. The city argued that county FU-10 zoning would preclude urban development, which might require urban services, until the BRCP was adopted. The city also argued that it would address OCCP and OCMC standards governing extension and funding of public facilities in the BRCP. Based in large part on these city arguments, LUBA rejected petitioner's arguments that the city must demonstrate the 2007 annexation decision complied with a number of OCCP and OCMC requirements, and affirmed the city's annexation

decision that deferred consideration of those requirements to the concept plan, which was under consideration at the time of the 2007 annexation.

MOTIONS

A. Motion to File Overlength Petition for Review

Under LUBA's rules, a petition for review may not exceed 50 pages unless LUBA allows additional pages. OAR 661-010-0030(2)(b). Petitioner filed a 53-page petition for review and requested permission to file a petition for review that exceeds the 50 page limit by three pages.[2] Petitioner does not argue the complexity of this case warrants a longer petition for review and petitioner easily could have made the arguments she makes in support of her three assignments of error in a petition for review that complies with the OAR 661-010-0030(2)(b) 50 page limit. Petitioner's motion to allow an overlength petition for review is denied. We do not consider the arguments that appear at Petition for Review Appendix 22.

B. Request to Allow a Reply Brief and Motion to Strike the Reply Brief

LUBA's rules authorize a petitioner to file a reply brief, but require that "[a] reply brief shall be confined solely to new matters raised in the respondent's brief * * *," and "not exceed five pages, exclusive of appendices, unless permission for a longer reply brief is given by the Board." OAR 661-010-039. Petitioner filed a motion to allow a reply brief. The reply brief is five pages long, with a five-page appendix.

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[2] The three extra pages are attached to the petition for review as Appendix 22 of the petition for review and those pages are referenced on page 44 of the petition for review.

Intervenor opposes the reply brief. We agree with intervenor that the five-page appendix is more accurately described as additional argument. The proposed reply brief is ten pages long. Intervenor contends that with one exception, the reply brief does not respond to new issues and moves to strike the reply brief. The exception identified by intervenor is on page 5, lines 11-19, where petitioner responds to a waiver argument in the response brief.

A portion of petitioner's reply brief challenges the summary of material facts in the response brief. Reply Brief 2, lines 2-5. In addition to the response to respondents' waiver argument that appears at page 5, lines 11-19, the reply brief includes a separate response to respondents' contention that petitioner failed to raise the procedural error that petitioner alleges under subassignment of error E under her first assignment of error. Reply Brief 4, lines 9-12. We agree with petitioner that these three parts of the reply brief respond to new issues in respondents' response brief, and those portions of the reply brief are allowed.

The balance of the reply brief is not limited to new issues in the response brief, and we grant intervenor's motion to strike those portions of the reply brief.

C. Respondent's Motion to Take Official Notice

The record includes a partial copy of Ordinance No. 10-1020, the 2010 city ordinance that rezones the subject 9.7 acres. Record 398-402. Petitioner and respondents disagree about the significance of that ordinance in their arguments under the first assignment of error, which we discuss below. The partial copy of the ordinance that is included in the record does not include the land use findings that were adopted in support of that ordinance. Following oral argument, the city filed a motion requesting that LUBA take official notice

of a complete copy of Ordinance 10-1020 that includes the findings, citing ORS 40.090(7) and Oregon Evidence Code 202(7). ORS 40.090(7) and Oregon Evidence Code 202(7) make city "ordinance[s]" and other "enactment[s]" subject to judicial notice. The city contends that since the findings were adopted as exhibits to the ordinance they are part of the ordinance and subject to official notice by LUBA. We agree with the city and take official notice of the complete 2010 rezoning ordinance.

While we grant the city's motion to take official notice, the city's motion to take official notice includes additional argument in support of the city's view that the 2010 rezoning adequately addressed any applicable concept planning requirements. Petitioner objects to this additional argument and in that objection petitioner includes additional argument on the merits to rebut the city's additional arguments.

We agree with petitioner that given the ultimate significance of the 2010 rezoning ordinance, it would have been far more appropriate in this case for the city to have included the entire 2010 ordinance in the record that it transmitted to LUBA and the parties, or asked that LUBA take official notice of the complete ordinance at that time, so that it would have been available to all parties before the briefs were prepared and filed. We also agree with petitioner that the city's additional argument in the motion to take official notice, which was filed after oral argument in this matter, was inappropriate. However, the city's argument is short, a little over one-half page. In that short argument, the city generally asserts without any specific reference to the 2010 ordinance findings, that those findings are adequate to address OCCP policies governing adequacy and financing of utilities such that those policies need not be applied in granting site plan and design review approval. Petitioner's objection to the

motion to take official notice includes over five pages of argument in which petitioner challenges the city's brief one-half page argument on the merits.

We have considered all of the parties' additional arguments on the merits, although those arguments are ultimately not particularly relevant to our disposition of this appeal.

D. Petitioner's Motion to Take Official Notice

Following oral argument petitioner filed a motion requesting that LUBA take official notice of a June 24, 2015 newspaper article about Clackamas River Water District, which will supply water to the proposed development. That article explains that the district has advised its customers of the potential for water shortages due to the lack of a winter snow pack this season.

The city objects that petitioner identifies no authority that would permit LUBA to take official notice of the newspaper article. It is unclear to us why petitioner wants LUBA to take official notice of the article. However, in any event, without some authority for taking official notice of the newspaper article, we cannot take official notice. Petitioner's motion to take official notice is denied.

FIRST ASSIGNMENT OF ERROR

As already noted, in her first assignment of error, petitioner argues the city erred by granting site plan and design review approval to allow urban development of the 9.7 acres without first re-adopting the BRCP or adopting some other concept plan for the area. In support of that assignment of error petitioner presents a number of different arguments under five sub-assignments of error. In sub-assignment of error A, petitioner cites a number of OCCP plan goals and policies as well as OCMC requirements that petitioner believes require concept planning before development approval. Petitioner also points

out that in *Graser-Lindsey I*, LUBA affirmed the city's annexation decision after relying on the city's representation that the BRCP would be adopted before urban development of the 122 annexed acres could be approved, and that the BRCP would address OCCP and OCMC public facility planning and financing requirements. In sub-assignment of error B, petitioner contends that the 2010 rezoning does not obviate the need for concept planning before approval of urban development of the 9.7 acres. We return to that argument below. In sub-assignment of error C, petitioner contends that approval of development of the 9.7 acres before adoption of the BRCP will complicate resolution of the issues that must be resolved to respond to LUBA's remand. In sub-assignment of error D petitioner contends approval of development of the 9.7 acres before concept planning will complicate planning for public infrastructure development and financing in the BRCP. Finally, petitioner argues the city's decision to grant site plan and design review for development of the 9.7 acres in advance of re-adoption of the BRCP is a procedural error that prejudiced petitioner's substantial rights.

Petitioner is correct that the city argued in *Graser-Lindsey I* that the FU-10 zone that applied to the 122 acres at the time of annexation precluded urban development and that the BRCP would be adopted for a 453-acre area that includes the 122 acres before those 122 acres could be developed for urban uses that would in turn require urban facilities. In addition, as an abstract proposition, petitioner is also undoubtedly correct that allowing the 9.7 acres to develop in advance of re-adoption of the BRCP could complicate responding to the issues raised in LUBA's remand and could complicate concept planning for development of the 453 acres, as well as planning for and financing of infrastructure. However, as we explain below, the city's decision to allow

urban development of the 9.7 acres prior to re-adoption of the BCRP was made in the 2010 rezoning decision, not in the decision that is before us in this appeal.

Because the 2010 rezoning decision is not before us in this appeal, the question of whether the city *correctly* determined that development of the 9.7 acres could be allowed to proceed prior to re-adoption of the BRCP is not before us in this appeal. We emphasize that we may not and do not address that question here. The relevant question is simply whether the 2010 rezoning decision included a decision to allow site plan and design review approval for development of the 9.7 acres to precede re-adoption of the BRCP. There can be no question that it did.

The 2010 rezoning findings address a number of comprehensive plan requirements for concept planning, and the city expressly found that site plan and design review approval for development of the 9.7 acres was not legally required to await re-adoption of the BRCP. One example is set out below:

> "**Policy 2.6.8**
>
> "*Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.*[3]
>
> **Finding**: The subject property is not identified as employment land on Metro's 2040 Map and was not brought into the Urban

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[3] The subject Future Urban Holding designated property is located east of Clackamas Community College.

> Growth boundary to meet regional employment needs. The applicant indicates that the subject property was brought into the UGB in 1979 and annexed into the City of Oregon City in 2008. The current holding zone is County FU-10 Future Urban, which has a 10-acre minimum lot size. The property was included as part of the Beavercreek Road Concept Plan, however it was brought into the UGB prior to the Title 11 concept planning requirement and therefore may be considered for rezoning irrespective of the status of the Beavercreek Road Concept Plan[.] The requested zone of MUC-1 would allow for a variety of uses that will add employment opportunities to the area and meet the goals of the Beavercreek Road Concept Plan. Many of the permitted uses in the MUC zone, such as professional services, dental services, and veterinary clinics are family-wage jobs. **The applicant has adequately demonstrated compliance with this policy**. Ordinance No. 10-1020, page 16 (boldface in original).[4]

The conditions of approval for the 2010 rezoning decision made it clear that if the BRCP was re-adopted prior to development of the 9.7 acres, in seeking site plan and design review for the 9.7 acres the applicant would be required to comply with the BRCP. But those conditions also expressly provided that site plan and design review approval could be granted *before* the BRCP was re-adopted, and set out requirements that would have to be addressed if site plan and design review approval was sought before re-adoption of the BRCP:

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[4] In her objection to the city's motion to take official notice, petitioner argues that there are other plan policies that the city failed to address in its 2010 rezoning decision. That argument challenges the merits of the 2010 rezoning decision and therefore is outside of the scope of our review of the challenged site plan and design review decision. That argument also has nothing to do with whether the 2010 decision in fact authorized site plan and design review approval before re-adoption of the BRCP.

"5. If the Beavercreek Road Concept Plan (BRCP) is formally adopted subsequent to approval of the proposed rezoning, as part of any subsequent site plan design review approval, master plan, phased development review, or other appropriate review, the development shall comply with the BRCP, and any design and performance standards adopted thereto.

"6. If the Beavercreek Road Concept Plan is not yet adopted at the time the applicant seeks development approval, the applicant's proposal shall be consistent with the intent and purpose of the Mixed Employment Village, which is to provide retail, office, civic and residential uses in an urban, pedestrian friendly and mixed use setting that is transit supportive in its use, density and design. Development shall create an active urban environment that incorporates pedestrian friendly amenities, urban building design consistent with the Beavercreek Road Concept Plan and cost effective green development practices. At a minimum, the overall development site shall achieve an average minimum floor area ratio (FAR) of 0.25 and a minimum building height of thirty-four feet except for accessory structures or buildings under one thousand square feet. The applicant may seek to modify these standards through the master plan adjustment or variance process with city approval." Record 402.

For purposes of petitioner's first assignment of error, the 2010 rezoning decision did three significant things. First, the decision removed the Future Urban plan and Future Urban-10 zoning designations that prevented urban development of the properties. Second, the decision replaced those designations with a Mixed Use Corridor OCCP designation and Mixed Use Corridor-1 zoning, which do permit urban development. Third, the decision's conditions of approval expressly anticipated that development may proceed before the BRCP is adopted, and imposed standards that must be met if development precedes re-adoption of the BRCP.

If the city erroneously decided that development of the 9.7 acres can proceed in advance of re-adoption of the BRCP, a timely appeal of the 2010 rezoning decision was the appropriate place to assign error to that decision. Petitioner's first assignment of error is an improper collateral attack on that unappealed decision. *Olson v. City of Springfield*, 56 Or LUBA 229, 233 (2008); *Lockwood v. City of Salem*, 51 Or LUBA 334, 344 (2006); *Corbett/Terwilliger Neigh. Assoc. v. City of Portland*, 16 Or LUBA 49, 52 (1987). Because the decision to allow the 9.7 acres to develop in advance of the city's re-adoption of the BRCP was made in the 2010 rezoning decision, not in the decision that is before us in this appeal, petitioner's first assignment of error provides no basis for reversal or remand.

The first assignment of error is denied.

SECOND ASSIGNMENT OF ERROR

In her second assignment of error, petitioner argues it was error for the city to rely on the remanded BRCP in the challenged decision, because it has not been re-adopted by the city following LUBA's remand.

It is reasonably clear in the findings supporting the site plan and design review decision that the city did not view the remanded BRCP as establishing legal standards for this site plan and design review decision: "the BRCP was remanded by LUBA, is not effective and imposes no standards on the present application." Record 31. Condition 6 of the 2010 rezoning decision, which was quoted in full above in our discussion of the first assignment of error, does require that the proposed development must be "consistent with the intent and purpose of the Mixed Employment Village" designation in the remanded BRCP. Record 402. That requirement presumably was imposed to improve the chances that any development approved for the 9.7 acres would be

consistent with the BRCP when it is re-adopted. Respondents contend that it was not error for the city to refer to and to take steps to ensure that development on of the 9.7 acres will be consistent with the yet-to-be re-adopted BRCP. We agree. And again, any errors the city may have committed in deciding to proceed prior to re-adoption of the BRCP could have been raised in an appeal of the 2010 rezoning decision and are not cognizable in this appeal.

The second assignment of error is denied.

THIRD ASSIGNMENT OF ERROR

The site plan and design review "[s]tandards" are set out at OCMC 17.62.050. OCMC 17.62.050(14) and (15) set out the standards for water and sanitary sewer facilities and transportation improvements:

> "14. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The city may require over sizing of facilities where necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the city for over sizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.
>
> "15. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit

> facilities shall be provided and be consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation. Compliance with [Chapter] 12.04, Streets, Sidewalks and Public Places shall be sufficient to achieve right-of-way and improvement adequacy."

Petitioner contends the sanitary sewer, water and transportation facilities proposed for the disputed development are inadequate and inconsistent with the applicable city master plans.

A. Sanitary Sewer (Subassignments of Error A-1 and B-1)

1. The Sanitary Sewer Master Plan (SSMP)

The SSMP that was in effect when intervenor's application became final was the 2003 SSMP. But there apparently is no dispute that the 2003 SSMP and the current 2014 SSMP both call for the BRCP area to be served by future improvements to the sewer line in Beavercreek Road, located in the Beavercreek Sanitary Sewer Basin. According to the city engineer, the 2014 SSMP calls for "3,700 feet of 12-inch and 15-inch gravity sewer pipeline * * * to be constructed in Beavercreek Road[.]" Record 183.

The city's findings explain that installing a 15-inch sewer line in Beavercreek Road now would likely result in maintenance and operational problems for that 15-inch sewer line, because flows would be too low due to the current lack of development in the BRCP area. The findings also explain

that, as conditioned, the applicant will be required to design a temporary cross-basin connection with adjacent Glen Oaks Sanitary Sewer Basin so that that connection can be terminated when the 15-inch sewer line is available in Beavercreek Road, and the subject property can be connected to the Beavercreek sewer main. The city findings take the position that because the subject property will ultimately be connected to the Beavercreek sewer main, and nothing in the 2003 or 2014 SSMPs prohibits such temporary solutions to avoid operational problems, the proposal is consistent with both SSMPs.[5]

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[5] The city's findings are set out below:

> "Opponents have alleged that the conditions of approval permitting the applicant to connect to the Glen Oak Basin sewer system [are] not consistent with the Sewer Master Plan. Both the 2003 and 2014 Sanitary Sewer Master Plans anticipate that the subject property will drain into the Beavercreek Sewer Basin. There is, however, no prohibition in either the 2003 or 2014 Sanitary Sewer Master Plans from directing flows from the subject property into the Glen Oak Basin. As explained in more detail in the November 5, 2014 City Engineer memorandum, the planned 15-inch pipe planned to serve the subject property is unlikely to be constructed within the next 10 years. The City has determined that it is not financially feasible to construct the 15-inch line at the present time, especially given the fact that due to very low flows within the 15-inch line due to a lack of development in the Beavercreek Basin, the City anticipates significant maintenance and operational problems with the line. Consequently, as an alternative to construction of the new 15-inch line, the City has agreed to a cross-basin connection into the Glen Oaks Basin. This connection is specifically identified as "Routing Alternative C" in the 2014 Sanitary Sewer Master Plan. The 2003 Sanitary Sewer Master Plan provided no specificity regarding the required sewer improvements necessary to serve areas within the BRCP area. Consequently, a cross-basin connection is not inconsistent with

Petitioner never really acknowledges these findings and makes no direct attempt to explain why the city commission's explanation for allowing the temporary cross-basin connection is inadequate or founded on interpretations of the SSMP that are implausible under the deferential standard of review that we must apply to the city commission's interpretations of the SSMPs under *Siporen v. City of Medford*, 349 Or 247, 261, 243 P3d 776 (2010).

Although this subassignment of error alleges an inconsistency with the 2003 SSMP, petitioner also argues that OCCP Policy 14.3.4 "requires that the cost [of constructing the Beavercreek Road 15-inch sewer line] be borne by this developer."[6] Petitioner cites a condition of approval that requires the applicant

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> the 2003 Sanitary Sewer Master Plan. Although the City adopted the 2014 Sanitary Sewer Master Plan after submission of the current application, the City has used it for guidance and evidence to support the connection to the Glen Oaks Basin. Moreover, conditions of approval require the applicant to construct improvements, which will allow the subject property to re-route sanitary flows into the Beavercreek Basin when the Beavercreek Basin improvements are eventually constructed. Thus, to the extent that either the 2003 or 2014 Sanitary Sewer Master Plans require a connection to the Beavercreek Road Basin, the requirement to connect in the future meets this requirement. For these reasons, the City Commission finds that the proposal to temporarily connect into the Glen Oaks Basin, together with the requirement that the applicant make the improvements required under the conditions of approval and through payment of the required fee-in-lieu payments, is consistent with and not prohibited by either the 2003 or 2014 Sanitary Sewer Master Plans. * * *" Record 32.

[6] OCCP Policy 14.3.4 provides:

> "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

to pay a fee to fund improvements made necessary by the cross-basin connection but provides that the subject property will be excluded from any future local improvement district to fund the Beavercreek 15-inch sewer main. Record 71. Although petitioner does not develop the argument, we understand petitioner to contend that the local improvement district exclusion violates OCCP Policy 14.3.4. We reject the argument. Overlooking the fact that OCCP Policy 14.3.4 is concerned with systems development charges, not local improvement districts, intervenor is being required to pay a fee toward the cost of sewer system improvements in conjunction with the cross-basin connection and petitioner makes no attempt to explain why she thinks that fee is inadequate to comply with OCCP Policy 14.3.4. As the condition explains, the exclusion from the possible future local improvement district for the Beavercreek Road sewer main improvements was to avoid requiring intervenor to fund improvements in two sanitary sewer basins. Record 71.

Petitioner's arguments based on inconsistency with the SSMP provide no basis for reversal or remand. This subassignment of error is denied.

2. Adequacy of Sanitary Sewer Facilities

OCMC 17.62.050, quoted in full above, requires in part that "[t]he applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development." Petitioner argues the cross-basin connection with the Glen Oak Road basin will leave that basin with inadequate sewer capacity. The city adopted the following findings to reject that argument:

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development to the maximum extent allowed under state law for Systems Development Charges."

> Opponents have raised a number of issues regarding the provision of sewer service, however, the City Council finds that many of the arguments are general in nature and do not specifically identify how the proposal fails to meet the above standard. The record includes, and this decision has incorporated by reference as additional findings, two Public Works memoranda dated November 5, 2014 and February 9, 2015. The memoranda conclude that with the improvements required to be constructed by the applicant concurrent with construction of the approved project, the existing Glen Oak Road sanitary system (to which the development will connect) has the capacity to accommodate the Beavercreek Road Apartment flows without the need to construct capacity improvements. No opponent has provided any evidence to counter this conclusion. Consequently, the City Commission finds that, based on all the evidence in the record, but in particular, the two City Engineer memoranda, the applicant has demonstrated that adequate sewer facilities are available concurrent with development." Record 30.

The February 9, 2015 memorandum, cited in the findings, addresses the capacity of the Glen Oak Road basin facilities to satisfy existing Glen Oak Road Basin demands as well as intervenor's proposed cross-basin connection (Scenario 1). The memorandum also addresses three additional scenarios which cumulatively increase the flow into the Glen Oak Road facilities by adding service to Three Mountains subdivision (Scenario 2); future Glen Oak Road Basin flows (Scenario 3); and an additional portion of the BRCP area (Scenario 4). The memorandum concludes that the Glen Oak Road system is adequate to provide service to Scenarios 1 and 2, but will require improvements to provide adequate service under Scenarios 3 and 4:

> "Today, the existing Glen Oak Rd sanitary sewer collection system has the capacity to accommodate the Beavercreek Rd Apartments flow plus the Three Mountains flow without the need to construct capacity improvements, Scenario 1 and Scenario 2. Capacity improvements are recommended prior to conveying the total

> additional wastewater flows that are estimated from the complete buildout of the areas described in Scenario 3, the Glen Oak Rd basin, the Three Mountains subdivision, and the Beavercreek Rd Apartments.
>
> "When the complete buildout of the Glen Oak Rd basin as identified in the SSMP develops to the full zoning density, the Three Mountains subdivision and Beavercreek Rd Apartments connect to the Glen Oak Rd basin, portions of the sewer system are inadequate to convey the buildout flows and there will need to be capacity improvements made downstream of the Glen Oak Rd basin collection system to provide for adequate sanitary sewer service. The capacity improvements will need to eliminate the predicted surcharging condition(s) and sanitary sewer overflow(s), SSOs, as may be applicable." Record 68-69.

The memorandum then continues with a discussion of how the city engineer believes a combination of "upsizing sewer pipes, rehabilitating and replacing sewer facilities, and an infiltration/inflow (I/I) abatement program" will be adequate to maintain an adequate system in the Glen Oak Road Basin. Record 69. The I/I abatement program will be funded in part by the $545,000 fee to be paid by intervenor. Petitioner disagrees with the city engineer's conclusions, but that disagreement is not sufficient to establish that the city engineer's memorandum is not substantial evidence that the city commission was entitled to rely on in assessing the possible impacts on the Glen Oak Road Basin sewer facilities. Or more precisely, that disagreement is not sufficient to establish that the city engineer's memorandum is not substantial evidence that supports the city commissions finding under OCMC 17.62.050, that "adequate [sewer] facilities and services are presently available or can be made available concurrent with development."

This subassignment of error is denied.

B. Water (Subassignments of Error A-2 and B-2)

1. The Water Distribution System Master Plan

The city water system has inadequate water pressure at the development site. Apparently the ultimate solution identified in the Water Distribution System Master Plan to resolve the water pressure problem is to construct a two million gallon reservoir at a cost of $8.7 million with additional piping, which will cost several million more dollars. As we explain in more detail below, rather than require construction of the new reservoir now, the city required that water service to the 9.7 acres be provided by Clackamas River Water District.

Petitioner contends the city's failure to require that intervenor construct the reservoir is inconsistent with the Water Distribution System Master Plan. But the only language from that plan that petitioner cites is general language that says "the timing of future system improvements will be triggered by specific developments and increase in system demands." City of Oregon City Water Distribution System Master Plan 8-6; Petition for Review Appendix 16-15. Petitioner makes no attempt to explain why it was error for the city not to conclude that intervenor's proposed development must be viewed as the development that triggers a requirement to construct the reservoir at this time.

This subassignment of error is denied.

2. Adequacy of Water Service

The city adopted the following findings to address the adequacy of the water service:

> "The City's existing water distribution system along Beavercreek Road does not have sufficient water pressure to serve the apartment project. The City has, therefore, required water service to be provided to the City by Clackamas River Water ('CRW') pursuant to an intergovernmental agreement between CRW and

the City. The record includes correspondence from CRW indicating that the Beavercreek Road Pressure Zone (which would serve the project) has the capability to provide both the necessary volume and pressure to serve the project. The CRW correspondence goes on to explain that service would be predicated on the applicant and the City meeting certain conditions, including, an execution of an intergovernmental agreement between the City and CRW permitting CRW to furnish water to the property. This would essentially be a wholesale water agreement between the City and CRW. There was testimony from staff at the January 21, 2015 hearing which indicated that the City and CRW are parties to a number of similar agreements and that, given the past cooperation between the City and CRW, staff did not see any obstacles to entering into such an agreement with CRW. In terms of capacity, CRW further testified as follows:

> "Utilizing a hydraulic model, CRW analyzed current and forecasted future demands (including proposed Application SP 14-01 development) to determine the CRW system's capacity. The results indicated that demands can be supplied without exposing the District customers to water shortages while maintaining the wholesale agreement with Oregon City.

"City Commission finds that the record contains sufficient evidence to demonstrate that the provision of water by CRW as described by Condition No. 7 is feasible. Through compliance with Conditions Nos. 4 through 7, the City Commission finds that adequate public water sufficient to serve the proposed development will be provided. Through compliance with Conditions Nos. 4-7, the applicant has demonstrated that adequate water facilities and services can be made available concurrent with development." Record 30-31.[7]

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[7] Conditions four through seven set out detailed requirements for the water system connection.

Petitioner does not directly address the above findings. Petitioner does argue that the required intergovernmental agree has not yet been executed between the city and CRW. But petitioner does not acknowledge or challenge the city's findings that it has entered such intergovernmental agreements with CRW in the past and "did not see any obstacles to entering into such an agreement with CRW." Record 30.

This subassignment of error is denied.

C. Transportation (Subassignment of Error A-3)

Petitioner contends the city's Transportation System Plan designates Beavercreek Road as a major arterial and under the OCMC is required to have a right of way 116 to 126 feet, which permits construction of five travel lanes. The parties dispute whether petitioner adequately identified the city's TSP as the legal authority that supported her arguments that intervenor should be required to dedicate sufficient right of way to expand Beavercreek Road to a five-lane facility. Respondents contend petitioner relied below on the remanded BRCP.

We need not resolve the parties' waiver arguments. The issue of whether intervenor should be required to expand Beavercreek Road to a five-lane facility was recognized and addressed by the city commission, with the city commission ultimately concluding that the five lanes should not be required for a number of reasons.

Respondents first point out that OCMC 12.04.005 addresses circumstances where city rights of way are regulated by the county, which is the case with Beavercreek Road where it adjoins intervenor's property.[8]

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[8] OCMC 12.04.005(A) provides:

Respondents also point out the city adopted fairly detailed findings addressing petitioner's argument for requiring a five-lane expansion of Beavercreek Road:

> "As explained in the November 14, 2014 Staff Report and the November 4, 2014 Clackamas County Memorandum, both of which have been specifically incorporated into these findings, the Beavercreek Road right of way is under Clackamas County jurisdiction and subject to current county standards. Clackamas County has designated Beavercreek Road a three-lane major arterial roadway. Clackamas County has adopted roadway standards that pertain to the structural section, right-of-way width, construction characteristics, and access standards for arterial roadways. Developments adjacent to existing roadways are required to improve the roadway to current standards. As a result, the City has adopted Condition No. 24, which requires the applicant to dedicate additional right-of-way and to construct Beavercreek Road to the identified 3-lane standard. The City Commission also finds that there are not sufficient warrants [to] require * * * a 5-lane section on Beavercreek Road, nor is there any basis for the City to require additional dedication of right of way beyond what is required by Condition No. 24. Any exaction in excess of what is required would not be proportional to the impacts created by this project. Under OCMC 12.04.007, the City is permitted to modify applicable transportation standards for a number of reasons, including constitutional limitations and the presence of other adopted plans. The City Commission finds that a dedication in excess of what is required would not be

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> "The city has jurisdiction and exercises regulatory management over all public rights-of-way within the city under authority of the City Charter and state law by issuing separate public works right-of-way permits or permits as part of issued public infrastructure construction plans. No work in the public right-of-way shall be done without the proper permit. *Some public rights-of-way within the city are regulated by the State of Oregon Department of Transportation (ODOT) or Clackamas County and as such, any work in these streets shall conform to their respective permitting requirements.*" (Emphasis added.)

> proportional and warrants modification under OCMC 12.04.007. Further, the testimony from the City's traffic engineer indicates that retaining a three-lane section will allow for the safe and efficient movement of motor vehicles." Record 31.

Petitioner neither recognizes nor directly challenges the above findings. Those findings take the position that because the section of Beavercreek Road that adjoins the subject property is within Clackamas County's jurisdiction, it is subject to the county standards which only require three lanes. The findings also conclude that existing traffic warrants would not justify requiring a five-lane roadway at this time and that because requiring a five-lane improvement would exceed constitutional proportionality requirements, a modification under OCMC 12.04.007 is warranted.[9] Petitioner does not challenge any of the city's reasoning.

This subassignment of error is denied.

The third assignment of error is denied.

The city's decision is affirmed.

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[9] OCMC 12.04.007 authorizes the city to modify roadway improvement standards "resulting from constitutional limitations restricting the city's ability to require the dedication of property or for any other reason" if certain criteria are met.

City of Oregon City

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

Staff Report

File Number: PC 19-123

Agenda Date:

Status: Agenda Ready

To: Planning Commission

Agenda #:

From: Assistant Planner Diliana Vassileva

File Type: Land Use Item

SUBJECT:
Planning Files GLUA-19-00017 (General Land Use Application), SP-19-00053 (Site Plan and Design Review), PARK-19-00002 (Parking Adjustment) - Milner Veterinary Clinic Parking Lot and Parking Adjustment

RECOMMENDED ACTION (Motion):
Staff recommends the Planning Commission deny files GLUA-19-00017, SP-19-00053, PARK-19-00002

BACKGROUND:
The applicant has proposed to construct a new parking lot with 18 off-street parking spaces on the south side of Warner Street, across from the Milner Veterinary Clinic which is located at 1034 Molalla Avenue. The Oregon City Municipal Code includes parking maximums which would allow for a maximum of 15 parking stalls for the Milner Veterinary Clinic. The subject site is already developed with a 21-stall parking lot, exceeding the maximum allowed by the code, however, the applicant has identified that the existing parking lot does not meet the parking needed by the clinic staff and clients and has requested approval of a Planning Commission Parking Adjustment in order to construct an additional 18-stall parking lot for a total of 39 off-street parking stalls.

The applicant has submitted a parking analysis of on-street parking availability on the frontage of the Milner Veterinary Clinic, and details on the parking needed by the clinic's staff and clients to demonstrate that the veterinary clinic requires more parking than the maximum allowed by the Oregon City Municipal Code. Though the applicant has demonstrated that the clinic requires more parking than the 15 maximum parking stalls allowed by the code, the applicant has not provided adequate justification for a total of 39 parking stalls.

Additionally, the Oregon City Municipal Code allows for on-street parking within 600 feet of the subject site to be considered when evaluating availability of on-street parking. The on-street availability analysis submitted by the applicant only evaluates availability of on-street parking along the Milner Veterinary Clinic's frontage. When taking into consideration on-street parking within 600 feet of the site, there are approximately 130 on-street parking spaces in the vicinity of the Milner Veterinary Clinic.

Though the applicant has demonstrated that the clinic requires more parking than the 15 maximum parking stalls allowed by the Oregon City Municipal Code, the applicant has not

provided justification for 39 total off-street parking stalls, and it appears that any additional parking needs can be accommodated with the ample on-street parking in the vicinity of the clinic.

Staff is recommending denial of the application. If the Planning Commission does not take staff's recommendation and makes findings for approval of the application, staff recommends the conditions of approval found in the staff report.

OREGON CITY

Community Development – Planning

698 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

TYPE III –SITE PLAN AND DESIGN REVIEW AND PARKING ADJUSTMENT
STAFF REPORT AND RECOMMENDATION
November 18, 2019

FILE NUMBER: GLUA-19-00017/SP-19-00053/PARK-19-00002: Site Plan and Design Review and Planning Commission Parking Adjustment

Submitted: April 30, 2019
Complete: August 15, 2019
120 Day Deadline: January 16, 2020
PC Hearing: November 18, 2019

APPLICANT: Steve Milner
1034 Molalla Avenue
Oregon City, OR 97045

OWNER: Steve Milner
1034 Molalla Avenue
Oregon City, OR 97045

REQUEST: The applicant has requested approval of a Site Plan and Design Review application and Planning Commission Parking Adjustment application to construct a parking lot with 18 stalls.

LOCATION: 1034 Molalla Avenue, Oregon City, OR 97045
Vacant Property across Warner Street from 1034 Molalla Avenue, abutting 140 Warner Street
Clackamas County Map 3-2E-05BC, Tax Lot 2300 and 3600

REVIEWER: Josh Wheeler, P.E., Assistant City Engineer
Diliana Vassileva, Assistant Planner

RECOMMENDATION: Denial.

PROCESS: Type III Quasi-Judicial Public Hearing. Pursuant to OCMC 17.50. 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. 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(s) and property owners within three hundred feet. Notice must be issued at least twenty days pre-hearing, and the staff report must be available to the public at least seven days pre-hearing. At the evidentiary hearing held before the planning commission all issues will be addressed. The decision of the planning commission may be appealed to the city commission and will be considered on the record; no new evidence will be considered on appeal. The city commission decision is the city's final decision and is appealable to LUBA within twenty-one days of when it becomes final.

Planning File: GLUA-19-00017/SP-19-00053/PARK-19-00002

Staff is recommending denial of the application. If the Planning Commission does not take staff's recommendation and makes findings for approval of the application, staff recommends the following conditions of approval:

(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.

<u>The applicant shall include the following information prior to receiving approval of the public improvements and/or grading permit associated with the proposed Site Plan and Design Review application. The information shall be approved prior to issuance.</u>

1. The development shall comply with all current Oregon City Public Works design standards, specifications, codes, and policies. (DS)

2. The applicant shall provide construction plans, stamped and signed by a professional engineer licensed in the State of Oregon, containing street, grading, stormwater, sanitary sewer and water infrastructure improvements that conforms to all current Oregon City Public Works standards, specifications, codes, and policies for review and approval by the City. (DS)

3. The engineering plans shall provide a local benchmark onsite using the NAVD88 datum. (DS)
4. The applicant shall dedicate an approximately 9 feet of right of way along the frontage of Warner Street. (DS)

5. Half Street Improvements to Warner Street shall consist of a pavement to achieve 18 feet of pavement from centerline to face of curb, a 0.5' curb, 5 foot sidewalk and 0.5' behind the sidewalk. (DS)

6. The applicant shall ensure existing street lights along Warner Street are in conformance with all City standards, specifications, codes, and policies and as approved by Portland General Electric (PGE). The applicant shall submit a photometric plan for verification. If standards are not met, new street lights shall be proposed. (DS)

7. The development shall prepare a Stormwater Operations and Maintenance Plan for the porous asphalt pavement parking lot and have it recorded with a Stormwater Access and Maintenance Covenant. (DS)

8. All pavement cuts and restoration shall comply with the City of Oregon City Pavement Cut Standards. Pavement cuts and restoration for Warner Street shall be to T-cut Standard in accordance with the City of Oregon City Pavement Cut Standards. (DS)
9. The development shall comply with the current version of the Oregon City Stormwater and Grading Design Standards. (DS)

10. The applicant shall provide an updated engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items, where applicable, from the Section 9 of the Public Works Stormwater and Grading Design Standards. (DS)

11. All proposed driveways shall be made ADA compliant. (DS)

12. The applicant shall obtain an Erosion control permit prior to commencement of any earth disturbing activities. (DS)

13. The applicant shall provide an Erosion Prevention and Sedimentation Control Plan prior to issuance of an erosion control permit. (DS)

14. The applicant shall provide a performance guarantee which is equal to 120% of the estimated cost to construct all public improvements shown in a city approved construction plan submitted by the applicant's engineer. The estimated costs shall be supported by a verified engineering estimate and approved by the city engineer. The guarantee shall be in a form identified in Code 17.50.140.A of the Oregon City Municipal Code. The guarantee shall remain in effect until the construction of all required improvements are completed and accepted by the city. (DS)

15. The development's contractor(s) and engineer(s) shall attend a pre-construction meeting with Oregon City staff prior to beginning construction work associated with the project. (DS)

16. The workmanship and materials for any work performed under permits issued by Oregon City Public Works shall be in accordance with the current edition of the "Oregon Standard Specifications for Construction" as prepared by the Oregon Department of Transportation (ODOT) and the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city. (DS)

17. The applicant shall provide a 10-foot-wide public utility easement along all property lines fronting existing or proposed right-of-way. The applicant shall make all necessary arrangements with utility companies to ensure underground lines are not placed within the roadway. (DS)

18. The applicant shall provide a Maintenance Guarantee in the amount of fifteen percent of the cost to construct all public improvements as shown in a city approved construction plan submitted by the applicant's engineer. The estimated costs shall be supported by a verified engineering estimate approved by the City Engineer. The guarantee shall be in a form identified in Code 17.50.140.A of the Oregon City Municipal Code. The guarantee shall warrant to the City of Oregon City that construction of public improvements will remain, for a period of twenty-four (24) months from the date of acceptance, free from defects in materials and workmanship. (DS)

19. The applicant shall execute a "Maintenance Covenant And Access Easement For Privately Owned Stormwater Management Facilities" and pay associated recording fees. The covenant shall include a site plan identifying all privately-owned stormwater management facilities and an operation and maintenance plan for each type of stormwater facility in accordance with the Public Works Stormwater and Grading Design Standards. The Maintenance Covenant and Access Easement shall be reviewed and accepted by the City prior to recording. (DS)

20. The property owner shall sign a Restrictive Covenant Non-Remonstrance Agreement for the purpose of making storm sewer, sanitary sewer, water or street improvements in the future that benefit the property. The applicant shall pay all fees associated with processing and recording the Non-Remonstrance Agreement. (DS)

21. The applicant shall submit a revised landscaping plan which:

a. identifies that within three years of planting, landscaping will cover one hundred percent of the landscaped areas, and that no mulch, bark chips, or similar materials will be used except under the canopy of shrubs and within two feet of the base of trees. (P)
b. does not include Otto Luyken English Laurel (Prunus laurocreasus) or any other species on the Oregon City Nuisance Plant List. (P)
c. includes shrubs spaced no more than four feet apart on average within the interior parking lot landscaping area. (P)

22. The applicant shall provide an easement for future vehicular access to the dental clinic property located at 1104 Molalla Avenue, physical connection of which may be triggered by future development on the dental clinic property. (P)

23. The applicant shall submit a revised parking lot layout in which the drive aisle adjacent to the driveway does not exceed 24 feet in width and all areas in the parking lot not used for parking, maneuvering, or circulation are landscaped. (P)

24. the applicant shall provide a tree protection plan demonstrating compliance with regulated tree protection procedures during construction in OCMC 17.41.030. (P)

<u>The applicant shall submit the following information prior to release of the maintenance guarantee.</u>

25. As-builts conforming to City standards shall be provided within 90 days of completion of the public improvements. (DS)

<u>The applicant shall submit the following information within 120 days of construction onsite commencing:</u>

26. All landscaping shall be planted per the approved landscaping plan or other arrangements, such as the posting of a surety, shall be made in order to ensure the planting of parking lot landscaping.

I. BACKGROUND:

1. Existing Conditions

The property at 1034 Molalla Avenue, Oregon City, is approximately half an acre in size and is zoned Mixed Use Corridor (MUC-1). The subject site is developed with the Milner Veterinary Hospital and a 21-stall parking lot with associated landscaping. The property across Warner Street from 1034 Molalla abutting 140 Warner Street, is a vacant lot that is approximately 10,000 square feet in size and also has MUC-1 zoning. Surrounding properties along Molalla are also zoned MUC-1 and are developed with commercial, office and retail uses. Properties to the west of the project site are zoned R-6 and include single-family residential uses.

Figure 1. Vicinity Map

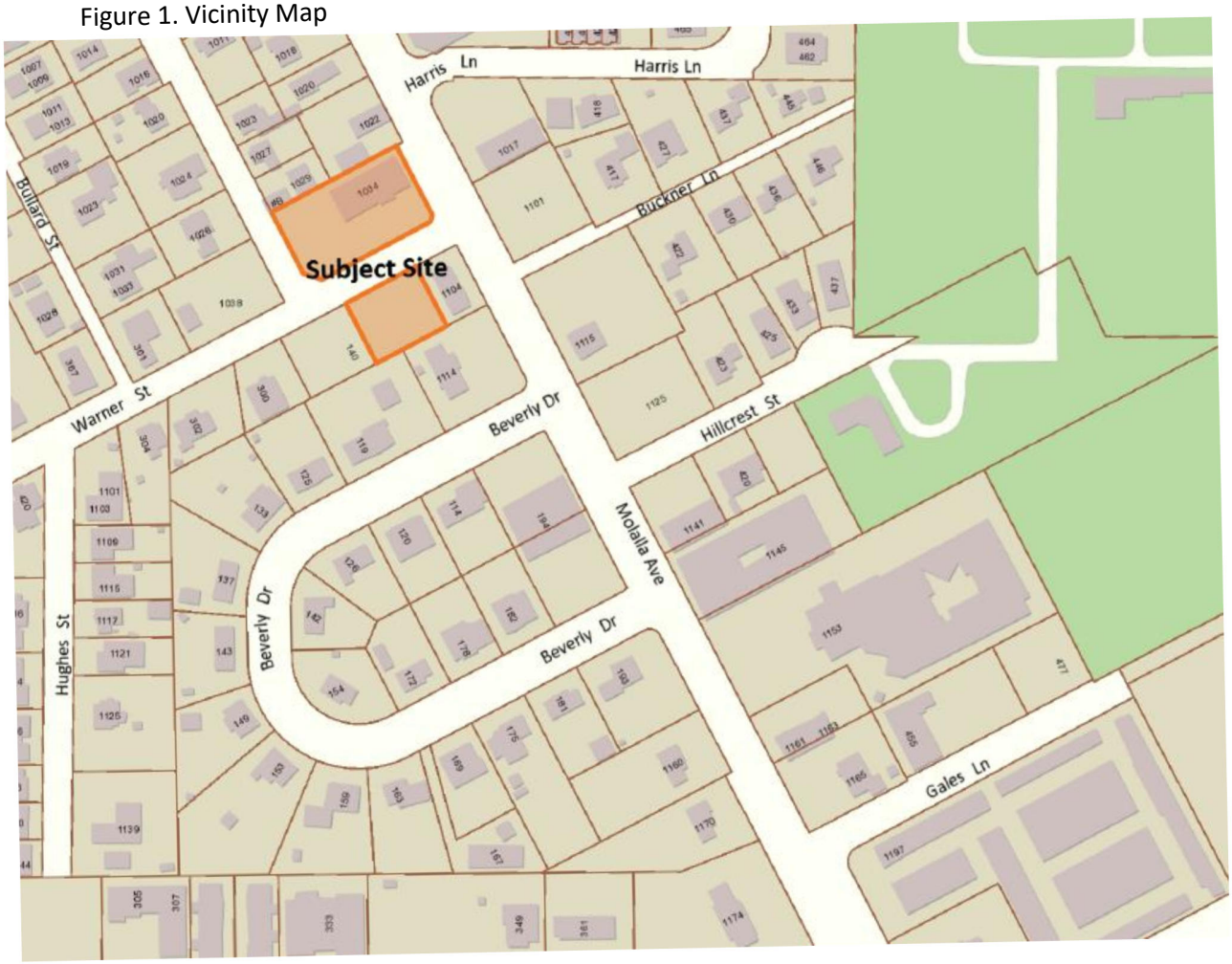


Figure 2: Existing Conditions – Aerial Image

2. Project Description

The applicant has proposed to construct a new 18-stall parking lot with associated landscaping on the vacant lot across Warner Street from the Milner Veterinary Hospital. The application requires Planning Commission approval because the total combined number of parking stalls (existing and proposed) would exceed the maximum number of permitted parking spaces allowed by the Oregon City Municipal Code.

Figure 3: Proposed Site Plan

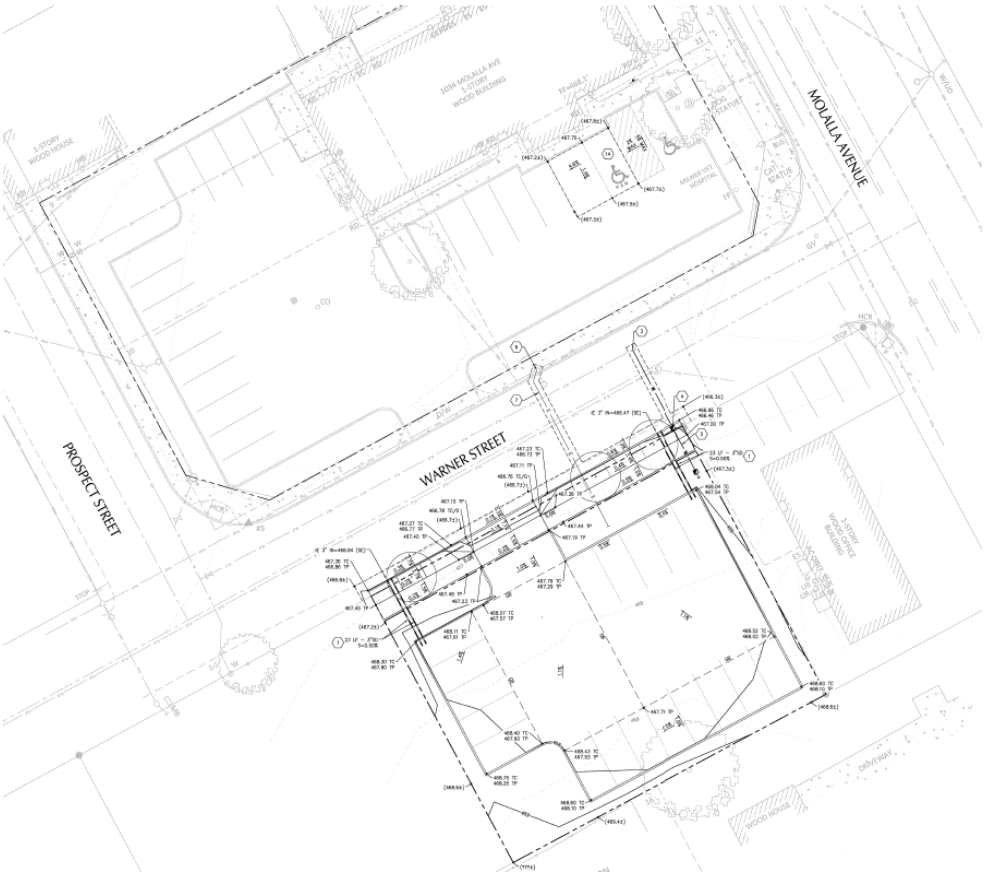
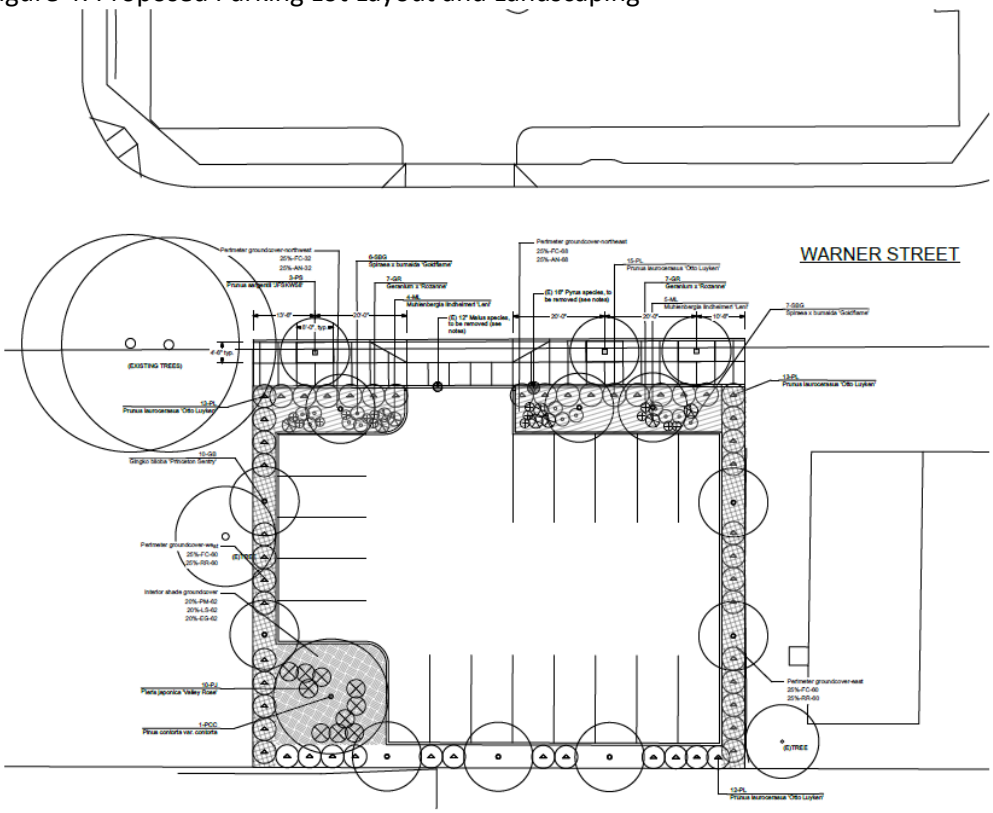


Figure 4: Proposed Parking Lot Layout and Landscaping



3. **Municipal Code Standards and Requirements:** The following sections of the Oregon City Municipal Code are applicable to this land use approval:

   12.04 - Streets, Sidewalks, and Public Places
   12.08 - Public and Street Trees
   13.12 - Stormwater Management
   15.48 - Grading, Filling and Excavating
   17.41 – Tree Protection
   17.47 - Erosion and Sediment Control
   17.50 - Administration and Procedures
   17.62 - Site Plan and Design Review
   17.52 - Off Street Parking and Loading
   17.54.100 – Fences
   17.58 - Nonconforming Uses, Structures, and Lots

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

4. **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.

5. **Notice and Public Comment**
   Notice of the proposal was sent to various City departments, affected agencies, property owners within 300 feet, and the Neighborhood Association. Additionally, the subject property was posted with signs identifying that a land use action was occurring on the property. Public comments submitted include (Exhibit 3):
   - A comment from the Oregon City Building Division indicating they have no comment on the applicant's proposal.

   Staff Response: No response necessary.

   - A comment from the Oregon City School District indicating that they have no comment on the applicant's proposal.

   Staff Response: No response necessary.

   - A comment from the Clackamas County Department of Transportation and Development indicating that they have no comment on the applicant's proposal.

   Staff Response: No response necessary.

   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:

CHAPTER 17.29 "MUC" MIXED USE CORRIDOR DISTRICT

17.29.020 - Permitted uses—MUC-1 and MUC-2.

A. Banquet, conference facilities and meeting rooms;
B. Bed and breakfast and other lodging facilities for up to ten guests per night;
C. Child care centers and/or nursery schools;
D. Indoor entertainment centers and arcades;
E. Health and fitness clubs;
F. Medical and dental clinics, outpatient; infirmary services;
G. Museums, libraries and cultural facilities;
H. Offices, including finance, insurance, real estate and government;
I. Outdoor markets, such as produce stands, craft markets and farmers markets that are operated on the weekends and after six p.m. during the weekday;
J. Postal services;
K. Parks, playgrounds, play fields and community or neighborhood centers;
L. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment;
M. Residential units, multi-family;
N. Residential units, single and two-family in the same building as another permitted use in the zone;
O. Restaurants, eating and drinking establishments without a drive through;
P. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
Q. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, marijuana pursuant to Section 17.54.110, and similar, provided the maximum footprint for a stand-alone building with a single store or multiple buildings with the same business does not exceed sixty thousand square feet;
R. Seasonal sales, subject to OCMC Section 17.54.060;
S. Assisted living facilities; nursing homes and group homes for over fifteen patients;
T. Studios and galleries, including dance, art, photography, music and other arts;
U. Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers;
V. Veterinary clinics or pet hospitals, pet day care;
W. Home occupations;
X. Research and development activities;
Y. Temporary real estate offices in model dwellings located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
Z. Residential care facility;
AA. Transportation facilities;
AB. Live/work units, pursuant to Section 17.54.105—Live/work units.

Finding: Complies as Proposed. The existing use a veterinary clinic which is a permitted use in the MUC zone pursuant with 17.29.020.V. The proposed parking lot is an accessory use to the existing veterinary clinic.

17.29.030 - Conditional uses—MUC-1 and MUC-2 zones.
The following uses are permitted in this district when authorized and in accordance with the process and standards contained in Chapter 17.56:
A. Ancillary drive-in or drive-through facilities;

B. Emergency service facilities (police and fire), excluding correctional facilities;
C. Gas stations;
D. Outdoor markets that do not meet the criteria of Section 17.29.020H.;
E. Public utilities and services including sub-stations (such as buildings, plants and other structures);
F. Public and/or private educational or training facilities;
G. Religious institutions;
H. Retail trade, including gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores and any other use permitted in the neighborhood, historic or limited commercial districts that have a footprint for a stand alone building with a single store in excess of sixty thousand square feet in the MUC-1 or MUC-2 zone;
I. Hotels and motels, commercial lodging;
J. Hospitals;
K. Parking structures and lots not in conjunction with a primary use;
L. Passenger terminals (water, auto, bus, train).
Finding: Not Applicable. The applicant has proposed a parking lot in conjunction with a primary use. No conditional uses have been proposed as part of this development application.

17.29.040 - Prohibited uses in the MUC-1 and MUC-2 zones.
The following uses are prohibited in the MUC district:
A. Distributing, wholesaling and warehousing;
B. Outdoor storage;
C. Outdoor sales that are not ancillary to a permitted use on the same or abutting property under the same ownership;
D. Correctional facilities;
E. Heavy equipment service, repair, sales, storage or rentals (including but not limited to construction equipment and machinery and farming equipment);
F. Kennels;
G. Motor vehicle and recreational vehicle sales and incidental service;
H. Motor vehicle and recreational vehicle repair/service;
I. Self-service storage facilities.
Finding: Complies as Proposed. No prohibited uses have been proposed as part of this development application.

17.29.050 - Dimensional standards—MUC-1.
A Minimum lot areas: None.
Finding: Not Applicable. The existing lot area is not changing as part of this development application.

B. Maximum building height: Forty feet or three stories, whichever is less.
Finding: Not Applicable. No new buildings have been proposed as part of this development application.

C. Minimum required setbacks if not abutting a residential zone: None.
D. Minimum required interior and rear yard setbacks if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every one foot of building height over thirty-five feet.
E. Maximum allowed setbacks.
1. Front yard: Five feet (may be extended with Site Plan and Design Review (Section17.62.055).
2. Interior side yard: None.
3. Corner side setback abutting street: Thirty feet provided the Site Plan and Design Review requirements of Section 17.62.055 are met.
4. Rear yard: None.

Finding: Not Applicable. No new buildings have been proposed as part of this development application. Parking lots are not subject to minimum or maximum setbacks.

F. Maximum lot coverage of the building and parking lot: Eighty percent.
Finding: Complies as Proposed. The proposed parking lot is approximately 6,500 square feet in size and occupies approximately 70% of the subject site, which would be approximately 9,350 square feet in size following required street dedication (6500/9350 = 0.6951).

G. Minimum required landscaping (including landscaping within a parking lot): Twenty percent.
Finding: Complies as Proposed. The parking lot landscaping is approximately 2800 square feet in size and occupies approximately 30% of the property, which would be approximately 9,350 square feet in size following required street dedication (2800/9350 = 0.2994).

17.29.060 - Dimensional standards—MUC-2.
A. Minimum lot area: None.
B. Minimum floor area ratio: 0.25.
C. Minimum building height: Twenty-five feet or two stories except for accessory structures or buildings under one thousand square feet.
D. Maximum building height: Sixty feet.
E. Minimum required setbacks if not abutting a residential zone: None.
F. Minimum required interior and rear yard setbacks if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every two feet of building height over thirty-five feet.
G. Maximum Allowed Setbacks.
1. Front yard: Five feet (may be expanded with Site Plan and Design Review Section 17.62.055).
2. Interior side yard: None.
3. Corner side yard abutting street: Twenty feet provided the site plan and design review requirements of Section 17.62.055 are met.
4. Rear yard: None.
H. Maximum site coverage of building and parking lot: Ninety percent.
I. Minimum landscaping requirement (including parking lot): Ten percent.
Finding: Not Applicable. The subject site is zoned MUC-1, therefore it is not subject to the MUC-2 dimensional standards.

17.29.070 - Floor area ratio (FAR).
Floor area ratios are a tool for regulating the intensity of development. Minimum FARs help to achieve more intensive forms of building development in areas appropriate for larger-scale buildings and higher residential densities.
A Standards.
1. The minimum floor area ratios contained in 17.29.050 and 17.29.060 apply to all non-residential and mixed-use building development, except stand-alone commercial buildings less than ten thousand square feet in floor area.
2. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.
3. An individual phase of a project shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project build out.
Finding: Not Applicable. The existing veterinary clinic is a stand-alone commercial building that is less than ten thousand square feet in floor area, therefore, floor area requirements are not applicable.

CHAPTER 17.62 SITE PLAN AND DESIGN REVIEW

17.62.015 *Modifications that will better meet design review requirements.*
The review body may consider modification of site-related development standards. These modifications are done as part of design review and are not required to go through the Variance process pursuant to section 17.60.020. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the Variance process pursuant to section 17.60.020. Modifications that are denied through design review may be requested as Variance through the Variance process pursuant to section 17.60.020. The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:
17.62.015.A. *The modification will result in a development that better meets design guidelines; and*
17.62.015.B. *The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*
Findings: Not Applicable. The applicant has not requested any modifications pursuant to this section.

17.62.020 - Preapplication conference.
Prior to filing for site plan and design review approval, the applicant shall confer with the community development director pursuant to Section 17.50.030. The community development director shall identify and explain the relevant review procedures and standards.
Finding: Complies as Proposed. Please see finding under section 17.50.050.

17.62.030 - When required.
Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6, R-5 and R-3.5 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cottage housing development, multi-family and non-residential uses in all zones. No building permit or other permit authorization for development shall be issued prior to site plan and design review approval. Parking lots and parking areas accessory to uses regulated by this chapter also shall require site plan and design review approval. Site plan and design review shall not alter the type and category of uses permitted in zoning districts.
Finding: Applicable. The applicant has proposed development within the Mixed-Use Corridor District therefore compliance with this chapter is required.

17.62.035 - Minor site plan and design review.
This section provides for a minor site plan and design review process. Minor site plan review is a Type I or Type II decision, as described in OCMC Section 17.62.035.A., subject to administrative proceedings described in OCMC Section 17.50 and may be utilized as the appropriate review process only when authorized by the community development director. The purpose of this type of review is to expedite design review standards for uses and activities that require only a minimal amount of review, typical of minor modifications and/or changes to existing uses or buildings.
Finding: Not Applicable. The application is not eligible for a Minor Site Plan and Design review process.

17.62.040 - Plans required.
Finding: Complies as Proposed. The applicant has submitted all requested application items and the application was deemed complete on August 15, 2019.

17.62.050 - Standards.
A. All development shall comply with the following standards:

1. Landscaping, A minimum of fifteen percent of the lot shall be landscaped. Existing native vegetation shall be retained to the maximum extent practicable. All plants listed on the Oregon City Nuisance Plant List shall be removed from the site prior to issuance of a final occupancy permit for the building.
Finding: Complies as Proposed. The applicant has proposed approximately 2,800 SF of landscaping, or approximately 30% of the total site (2800/9350 = 0.2994).

a. Except as allowed elsewhere in the zoning and land division chapters of this Code, all areas to be credited towards landscaping must be installed with growing plant materials. A reduction of up to twenty-five percent of the overall required landscaping may be approved by the community development director if the same or greater amount of pervious material is incorporated in the non-parking lot portion of the site plan (pervious material within parking lots are regulated in OCMC 17.52.070).
Finding: Complies as Proposed. The applicant submitted a landscaping plan demonstrating that landscaping counting towards the minimum landscaping requirement will be installed with growing plant materials. The applicant has not requested a reduction to minimum landscaping requirements.

b. Pursuant to Chapter 17.49, landscaping requirements within the Natural Resource Overlay District, other than landscaping required for parking lots, may be met by preserving, restoring and permanently protecting native vegetation and habitat on development sites.
Finding: Not Applicable. The subject site is not within the Natural Resource Overlay District.

c. A landscaping plan shall be prepared by a registered landscape architect for new or revised landscaped areas. Landscape architect approval is not required for tree removal and/or installation if the species are chosen from an approved street tree list. A certified landscape designer, arborist, or nurseryman shall be acceptable in lieu of a landscape architect for projects with less than 500 square feet of landscaping. All landscape plans shall include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.) that within three years will cover one hundred percent of the Landscape area. No mulch, bark chips, or similar materials shall be allowed at the time of landscape installation except under the canopy of shrubs and within two feet of the base of trees. The community development department shall maintain a list of trees, shrubs and vegetation acceptable for landscaping.
Finding: Complies with Condition. The submitted landscape plan was prepared by Rosa Brady Keane, Registered Landscape Architect and includes a mix of vertical and horizontal elements. The landscaping plan does not identify that within three years of planting, landscaping will cover one hundred percent of the landscaped area, or that no mulch, bark chips, or similar materials will be used except under the canopy of shrubs and within two feet of the base of trees. Prior to issuance of a permit associated with the proposed development, the applicant shall submit a revised landscaping plan which identifies that within three years of planting, landscaping will cover one hundred percent of the landscaped area, and that no mulch, bark chips, or similar materials will be used except under the canopy of shrubs and within two feet of the base of trees. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

d. For properties within the Downtown Design District landscaping shall be required to the extent practicable up to the ten percent requirement.
Finding: Not Applicable. The subject site is not located within the Downtown Design District.

e. Landscaping shall be visible from public thoroughfares to the extent practicable.
Finding: Complies as Proposed. The landscape plan demonstrates that the proposed landscaping will be visible from public thoroughfares to the extent practicable.

f. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum, unless otherwise permitted by the dimensional standards of the underlying zone district.
Finding: Not Applicable. The MUC-1 District allows for interior parking lot landscaping to be counted towards the 15% minimum, therefore, this standard is not applicable.

2. Vehicular Access and Connectivity.
a. Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.
Finding: Not Applicable. The proposed parking area is not located on the same lot as a building.

b. Ingress and egress locations on thoroughfares shall be located in the interest of public safety. Access for emergency services (fire and police) shall be provided.
Finding: Complies as Proposed. The layout of the proposed parking lot and driveway location is in compliance with the standards set forth in OCMC 12.04. The proposal was reviewed by the City's traffic consultant John Replinger of Replinger and Associates, who found no safety impacts.

c. Alleys or vehicular access easements shall be provided in the following Districts: R-2, MUC-1, MUC-2, MUD and NC zones unless other permanent provisions for access to off-street parking and loading facilities are approved by the decision-maker. The corners of alley intersections shall have a radius of not less than ten feet.
Finding: Not Applicable. Though the subject site is located within the MUC-1 District, there isn't an opportunity for an alley due to minimum block length standards and the site's proximity to Prospect Street and Molalla Avenue.

d. Sites abutting an alley shall be required to gain vehicular access from the alley unless deemed impracticable by the community development director.
Finding: Please refer to the analysis in 17.62.050.A.2.c.

e. Where no alley access is available, the development shall be configured to allow only one driveway per frontage. On corner lots, the driveway(s) shall be located off of the side street (unless the side street is an arterial) and away from the street intersection. Shared driveways shall be required as needed to accomplish the requirements of this section. The location and design of pedestrian access from the sidewalk shall be emphasized so as to be clearly visible and distinguishable from the vehicular access to the site. Special landscaping, paving, lighting, and architectural treatments may be required to accomplish this requirement.
Finding: Complies as Proposed. The layout of the proposed development includes one driveway per frontage. Driveway locations meet standards set forth in 12.04.

f. Driveways that are at least twenty-four feet wide shall align with existing or planned streets on adjacent sites.
Finding: Not Applicable. There are no existing streets opposite the driveway, and no opportunities for future streets at the locations.

g. Development shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable. Such easements shall be required in addition to applicable street dedications as required in Chapter 12.04.
Finding: Complies with Condition. The site is surrounded by residential development, with the exception of the dental clinic located to the east, at 1104 Molalla Avenue. Though the location of the existing dental clinic precludes the connection to the site, a connection could be provided with future development on the dental clinic property. Though the physical connection is not required as part of this development, the applicant shall provide an easement for future vehicular access to the dental clinic

property located at 1104 Molalla Avenue, physical connection of which may be triggered by future development on the dental clinic property. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

h. Vehicle and pedestrian access easements may serve in lieu of streets when approved by the decision maker only where dedication of a street is deemed impracticable by the city.
Finding: Not applicable. The pedestrian accessways proposed in the development are not in lieu of vehicular streets.

i. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.
Finding:
Finding: Complies with Condition. Please refer to the findings within OCMC 17.62.050.A.2.g. The applicant shall provide an easement for a future vehicular access to the dental clinic property at 1104 Molalla Avenue, physical connection of which may be triggered by future development of the dental clinic property. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

j. In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future.
Finding: Not Applicable. No dead end streets are proposed.

k. Parcels larger than three acres shall provide streets as required in Chapter 12.04. The streets shall connect with existing or planned streets adjacent to the site.
Finding: Not Applicable. The subject site is less than three acres in size, therefore, this standard is not applicable.

l. Parking garage entries shall not dominate the streetscape. They shall be designed and situated to be ancillary to the use and architecture of the ground floor. This standard applies to both public garages and any individual private garages, whether they front on a street or private interior access road.
Finding: Not Applicable. A parking garage is not proposed with this development.

m. Buildings containing above-grade structured parking shall screen such parking areas with landscaping or landscaped berms, or incorporate contextual architectural elements that complement adjacent buildings or buildings in the area. Upper level parking garages shall use articulation or fenestration treatments that break up the massing of the garage and/or add visual interest.
Finding: Not Applicable. A parking garage is not proposed with this development.

3. Building structures shall be complimentary to the surrounding area. All exterior surfaces shall present a finished appearance. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear facades or decking shall be prohibited.
a. Alterations, additions and new construction located within the McLoughlin Conservation District, Canemah National Register District, and the Downtown Design District and when abutting a designated Historic Landmark shall utilize materials and a design that incorporates the architecture of the subject building as well as the surrounding district or abutting Historic Landmark. Historic materials such as doors, windows and siding shall be retained or replaced with in kind materials unless the community development director determines that the materials cannot be retained and the new design and materials are compatible with the subject building, and District or Landmark. The community

development director may utilize the Historic Review Board's Guidelines for New Constriction (2006) to develop findings to show compliance with this section.
b. In historic areas and where development could have a significant visual impact, the review authority may request the advisory opinions of appropriate experts designated by the community development director from the design fields of architecture, landscaping and urban planning. The applicant shall pay the costs associated with obtaining such independent professional advice; provided, however, that the review authority shall seek to minimize those costs to the extent practicable.
Finding: Not Applicable. No new building structures are proposed, therefore, this standard is not applicable.

4. Grading shall be in accordance with the requirements of Chapter 15.48 and the public works stormwater and grading design standards.
Finding: Complies as Proposed. The grading and utility plan labeled C3.0 by kpff shows a grading plan meeting the standards of development.

5. Development subject to the requirements of the Geologic Hazard overlay district shall comply with the requirements of that district.
Finding: Not Applicable. No geologic hazards exist on the subject property.

6.Drainage shall be provided in accordance with city's drainage master plan, Chapter 13.12, and the public works stormwater and grading design standards.
Finding: Complies with Condition. The development shall comply with the current version of the Oregon City Stormwater and Grading Design Standards. The applicant shall provide an updated engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items, where applicable, from the Section 9 of the Public Works Stormwater and Grading Design Standards. While the plan proposes pervious asphalt, the applicant will still need to show that all standards are met. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

7. Parking, including carpool, vanpool and bicycle parking, shall comply with city off-street parking standards, Chapter 17.52.
Finding: Please refer to the findings under Chapter 17.52.

8. Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and street design standards. Upon application, the community development director may waive this requirement in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made.
Finding: Complies as Proposed. The plans by kpff propose pavement widening, curb, a planter strip, and sidewalk. Half Street Improvements to Warner Street shall consist of a pavement to achieve 18 feet of pavement from centerline to face of curb, a 0.5' curb, 5 foot sidewalk and 0.5' behind the sidewalk. The details of design will be reviewed during the permit submittal with respect to Public Works Design Standards. (DS)

9. A well-marked, continuous and protected on-site pedestrian circulation system meeting the following standards shall be provided:
a. Pathways between all building entrances and the street are required. Pathways between the street and buildings fronting on the street shall be direct. Exceptions may be allowed by the director where steep slopes or protected natural resources prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.
Finding: Not Applicable. No new buildings or building entrances are proposed.

b. The pedestrian circulation system shall connect all main entrances on the site. For buildings fronting on the street, the sidewalk may be used to meet this standard. Pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required.
Finding: Not Applicable. The parking lot is on a separate lot, not onsite with the veterinary clinic, therefore this standard is not applicable. No changes to building entrances or the existing onsite pedestrian circulation system are proposed.

c. Elevated external stairways or walkways, that provide pedestrian access to multiple dwelling units located above
the ground floor of any building are prohibited. The community development director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard.
Finding: Not Applicable. No exterior walkways which provide connection to dwelling units are proposed on a structure.

d. The pedestrian circulation system shall connect the main entrances of adjacent buildings on the same site.
Finding: Please refer to the analysis in 17.62.050.A.9.b.

e. The pedestrian circulation system shall connect the principal building entrance to those of buildings on adjacent commercial and residential sites where practicable. Walkway linkages to adjacent developments shall not be required within industrial developments or to industrial developments or to vacant industrially-zoned land.
Finding: Not Applicable. No changes to the existing building entrance or the existing onsite circulation system are proposed as part of this development.

f. On-site pedestrian walkways shall be hard surfaced, well drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be a minimum of seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the walkway shall be raised or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel. Pedestrian walkways that cross drive isles or other vehicular circulation areas shall utilize a change in textual material or height to alert the driver of the pedestrian crossing area.
Finding: Not Applicable. No new pedestrian walkways are proposed or required.

10. There shall be provided adequate means to ensure continued maintenance and necessary normal replacement of private common facilities and areas, drainage ditches, streets and other ways, structures, recreational facilities, landscaping, fill and excavation areas, screening and fencing, groundcover, garbage storage areas and other facilities not subject to periodic maintenance by the city or other public agency.
Finding: Complies as Proposed. The applicant's narrative identified compliance with this standard.

11. Site planning shall conform to the requirements of OCMC Chapter 17.41 Tree Protection.
Finding: Please refer to the analysis in Chapter 17.41 of this report.

12. Development shall be planned, designed, constructed and maintained to protect water resources and habitat conservation areas in accordance with the requirements of the city's Natural Resources Overlay District, Chapter 17.49, as applicable.
Finding: Not Applicable. The subject site is not within the Natural Resource Overlay District.

13. All development shall maintain continuous compliance with applicable federal, state, and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference. Prior to issuance of a building permit, the community development director or building official may require submission of evidence demonstrating compliance with such standards and receipt of necessary permits. The review authority may regulate the hours of construction or operation to minimize adverse impacts on adjoining residences, businesses or neighborhoods. The emission of odorous gases or other matter in such quantity as to be readily detectable at any point beyond the property line of the use creating the odors or matter is prohibited.
Finding: Complies as Proposed. The development proposal assured compliance with this section.

14. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The city may require over sizing of facilities where necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the city for over sizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.
Finding: Not Applicable. The site is already served by sanitary and water service.

15. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation. Compliance with [Chapter] 12.04, Streets, Sidewalks and Public Places shall be sufficient to achieve right-of-way and improvement adequacy.
Finding: Complies with Condition. The plans by kpff show some right of way dedication. The applicant shall dedicate an approximately 9 feet of right of way along the frontage of Warner Street. This dedication shall be completed prior to issuance of permits for public improvements. The dedication can be completed via a plat or deed of dedication document or other equal process or document. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

16. If a transit agency, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, accessible bus landing pad, lighting, or transit stop connection be constructed, or that an easement or dedication be provided for one of these uses, consistent with an agency adopted or approved plan at the time of development, the review authority shall require such improvement, using designs supportive of transit use. Improvements

at a major transit stop may include intersection or mid-block traffic management improvements to allow for crossings at major transit stops, as identified in the transportation system plan.
Finding: Not Applicable. The subject site is not located on a transit route, therefore, this standard is not applicable.

17. All utility lines shall be placed underground.
Finding: Complies with Condition. No existing overhead lines exist on the side of the right of way with the proposed improvement. No new overhead utilities are proposed; however, the applicant shall provide a 10-foot-wide public utility easement along all property lines fronting existing or proposed right-of-way. The applicant shall make all necessary arrangements with utility companies to ensure underground lines are not placed within the roadway. This will allow for an area for utilities to run lines in the event they need to in the future. The easement can be provided on any form of legal document which is acceptable to the City and recordable by the County. All recording fees shall be paid by the applicant. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

18. Access and facilities for physically handicapped people shall be incorporated into the site and building design consistent with applicable federal and state requirements, with particular attention to providing continuous, uninterrupted access routes.
Finding: Complies as Proposed. The existing parking lot includes ADA compliant parking stalls and an associated access route. Compliance with ADA and accessibility standards will be reviewed upon submittal of a building permit.

19. For a residential development, site layout shall achieve at least eighty percent of the maximum density of the base zone for the net developable area. Net developable area excludes all areas for required right-of-way dedication, land protected from development through Natural Resource or Geologic Hazards protection, and required open space or park dedication.
Finding: Not Applicable. The proposal does not include residential development.

20. Screening of Mechanical Equipment:
a. Rooftop mechanical equipment, including HVAC equipment and utility equipment that serves the structure, shall be screened. Screening shall be accomplished through the use of parapet walls or a sight-obscuring enclosure around the equipment constructed of one of the primary materials used on the primary facades of the structure, and that is an integral part of the building's architectural design. The parapet or screen shall completely surround the rooftop mechanical equipment to an elevation equal to or greater than the highest portion of the rooftop mechanical equipment being screened. In the event such parapet wall does not fully screen all rooftop equipment, then the rooftop equipment shall be enclosed by a screen constructed of one of the primary materials used on the primary facade of the building so as to achieve complete screening.
b. Wall-mounted mechanical equipment shall not be placed on the front facade of a building or on a facade that faces a right-of-way. Wall-mounted mechanical equipment, including air conditioning or HVAC equipment and groups of multiple utility meters, that extends six inches or more from the outer building wall shall be screened from view from streets; from residential, public, and institutional properties; and from public areas of the site or adjacent sites through the use of (a) sight-obscuring enclosures constructed of one of the primary materials used on the primary facade of the structure, (b) sight-obscuring fences, or (c) trees or shrubs that block at least eighty percent of the equipment from view or (d) painting the units to match the building. Wall-mounted mechanical equipment that extends six inches or less from the outer building wall shall be designed to blend in with the color and architectural design of the subject building.

c. Ground-mounted above-grade mechanical equipment shall be screened by ornamental fences, screening enclosures, trees, or shrubs that block at least eighty percent of the view. Placement and type of screening shall be determined by the community development director.
d. This section shall not apply to the installation of solar energy panels, photovoltaic equipment or wind power generating equipment.
e. This section shall not apply to the installation of solar energy panels, photovoltaic equipment or wind power generating equipment.
Finding: Not Applicable. No mechanical equipment is proposed within the proposed parking lot, therefore, this section is not applicable.

21. Building Materials.
a. Preferred building materials. Building exteriors shall be constructed from high quality, durable materials. Preferred exterior building materials that reflect the city's desired traditional character are as follows:
i. Brick.
Ii. Basalt stone or basalt veneer.
iii. Narrow horizontal wood or composite siding (generally five inches wide or less); wider siding will be considered where there is a historic precedent.
iv. Board and batten siding.
v. Other materials subject to approval by the community development director.
vi. Plywood with battens or fiber/composite panels with concealed fasteners and contiguous aluminum sections at each joint that are either horizontally or vertically aligned.
vii. Stucco shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.
b. Prohibited materials. The following materials shall be prohibited in visible locations from the right-of-way or a public access easement unless an exception is granted by the community development director based on the integration of the material into the overall design of the structure.
i. Vinyl or plywood siding (including T-111 or similar plywood).
Ii. Glass block or highly tinted, reflected, translucent or mirrored glass (except stained glass) as more than ten percent of the building facade.
iii. Corrugated fiberglass.
iv. Chain link fencing (except for temporary purposes such as a construction site, gates for a refuse enclosure, stormwater facilities, or within the General Industrial District).
[v.] Crushed colored rock/crushed tumbled glass.
[vi.] Non-corrugated and highly reflective sheet metal.
c. Special material standards: The following materials are allowed if they comply with the requirements found below:
1. Concrete block. When used for the front facade of any building, concrete blocks shall be split, rock- or ground-faced and shall not be the prominent material of the elevation. Plain concrete block or plain concrete may be used as foundation material if the foundation material is not revealed more than three feet above the finished grade level adjacent to the foundation wall.
2. Metal siding. Metal siding shall have visible corner moldings and trim and incorporate masonry or other similar durable/permanent material near the ground level (first two feet above ground level).
3. Exterior Insulation and Finish System (EIFS) and similar troweled finishes shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.
4. Building surfaces shall be maintained in a clean condition and painted surfaces shall be maintained to prevent or repair peeling, blistered or cracking paint.

Finding: Not Applicable. No new buildings are proposed, therefore, building materials standards within this section are not applicable. The proposal does not utilize preferred, prohibited, or special materials within this section.

22. Conditions of Approval. The review authority may impose such conditions as it deems necessary to ensure compliance with these standards and other applicable review criteria, including standards set out in city overlay districts, the city's master plans, and city public works design standards. Such conditions shall apply as described in Sections 17.50.310, 17.50.320 and 17.50.330. The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the city attorney.
Finding: Complies with Condition. The proposal can meet the approval criteria with the conditions of approval. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

23. Development shall conform to the requirements of OCMC Chapter 17.58 Nonconforming Uses, Structures, and Lots.
Finding: Please refer to the analysis within Chapter 17.58 of this report.

17.62.055 - Institutional and commercial building standards.
A. Purpose. The primary objective of the regulations contained in this section is to provide a range of design choices that promote creative, functional, and cohesive development that is compatible with surrounding areas. Buildings approved through this process are intended to serve multiple tenants over the life of the building, and are not intended for a one-time occupant. The standards encourage people to spend time in the area, which also provides safety though informal surveillance. Finally, this section is intended to promote the design of an urban environment that is built to human scale by creating buildings and streets that are attractive to pedestrians, create a sense of enclosure, provide activity and interest at the intersection of the public and private spaces, while also accommodating vehicular movement.
B. Applicability. In addition to Section 17.62.050 requirements, institutional and commercial buildings shall comply with design standards contained in this section.
Finding: Not Applicable. No new buildings or changes to the existing building are proposed as part of this development application, therefore, institutional and commercial building standards within this section are not applicable to the development proposal.

17.62.056 - Additional standards for large retail establishments.
A. This section is intended to ensure that large retail building development is compatible with its surrounding area.
B. Large retail establishment shall mean a retail building occupying more than ten thousand gross square feet of floor area.
C. In addition to Sections 17.62.050 and 17.62.055 requirements, large retail buildings shall comply with design standards contained in this section.
Finding: Not Applicable. The proposal does not involve a large retail establishment, therefore, standards within this section are not applicable.

17.62.057 - Multi-family standards.

B. Applicability. In addition to Section 17.62.050 requirements, all multi-family buildings shall comply with the design standards contained in this section. Cottage Housing Development shall follow OCMC 17.62.58 instead of this section.
Finding: Not Applicable. The proposal does not involve a multi-family development, therefore, standards within this section are not applicable.

17.62.059 - Cottage housing.
Finding: Not Applicable. The proposal does not involve a cottage housing development, therefore, standards within this section are not applicable.

17.62.065 - Outdoor lighting.
B. Applicability.
1. General.
a. All exterior lighting for any type of commercial, mixed-use, industrial or multi-family development shall comply with the standards of this section, unless excepted in subsection B.3.
b. The city engineer/public works director shall have the authority to enforce these regulations on private property if any outdoor illumination is determined to present an immediate threat to the public health, safety and welfare.
Finding: Applicable. The proposed development includes commercial development, therefore, this section is applicable.

2. Lighting Plan Requirement.
All commercial, industrial, mixed-use, cottage housing and multi-family developments shall submit a proposed exterior lighting plan. The plan must be submitted concurrently with the site plan. The exterior lighting plan shall include plans and specifications for streetlights, parking lot lights, and exterior building lights. The specifications shall include details of the pole, fixture height and design, lamp type, wattage, and spacing of lights.
Finding: Not Applicable. A lighting plan was not submitted, however, no new lighting or changes to existing lighting is proposed or required, therefore, a lighting plan is not necessary.

3. Excepted Lighting.
The following types of lighting are excepted from the requirements of this section.
a. Residential lighting for single-family attached and detached homes, and duplexes.
b. Public street and right-of-way lighting.
c. Temporary decorative seasonal lighting provided that individual lamps have a light output of sixty watts or less.
d. Temporary lighting for emergency or nighttime work and construction.
e. Temporary lighting for theatrical, television, and performance areas, or for special public events.
f. Lighting for a special district, street, or building that, according to an adopted municipal plan or ordinance, is determined to require special lighting aesthetics as part of its physical character.
g. Lighting required and regulated by the Federal Aviation Administration.
Finding: Not Applicable. The applicant has not proposed any excepted lighting.

C. General Review Standard. If installed, all exterior lighting shall meet the functional security needs of the proposed land use without adversely affecting adjacent properties or the community. For purposes of this section, properties that comply with the design standards of subsection D. below shall be deemed to not adversely affect adjacent properties or the community.
Finding: Please refer to the findings within this report.

D. Design and Illumination Standards.

General Outdoor Lighting Standard and Glare Prohibition.

1. Any light source or lamp that emits more than nine hundred lumens (thirteen watt compact fluorescent or sixty watt incandescent) shall be concealed or shielded with a full cut-off style fixture in order to minimize the potential for glare and unnecessary diffusion on adjacent property.

Finding: Not Applicable. No new lighting or changes to existing lighting is proposed as part of this development application.

2. The maximum height of any lighting pole serving a multi-family residential use shall be twenty feet. The maximum height serving any other type of use shall be twenty-five feet, except in parking lots larger than five acres, the maximum height shall be thirty-five feet if the pole is located at least one hundred feet from any residential use.

Finding: Not Applicable. No new lighting or changes to existing lighting is proposed as part of this development application.

3. Lighting levels:

Table 1-17.62.065. Foot-candle Levels

Location	*Min*	*Max*	*Avg*
Pedestrian Walkways in Parking Lots		*10:1 max/min ratio*	*0.5*
Pedestrian Accessways/Walkways	*0.5*	*7:1 max/min ratio*	*1.5*
Building Entrances	*3*		
Bicycle Parking Areas	*3*		
Abutting property	*N/A*	*0.5*	

4. Pedestrian Accessways. To enhance pedestrian and bicycle safety, pedestrian accessways required pursuant to OCMC 12.28 shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of one-half foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances.

Finding: Not Applicable. No new lighting or changes to existing lighting is proposed as part of this development application. The proposed parking lot does not include designated pedestrian walkways or bicycle parking areas.

5. Floodlights shall not be utilized to light all or any portion of a building facade between ten p.m. and six a.m.

6. Lighting on outdoor canopies shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy.

7. All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non-operating hours.

8. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.

9. For upward-directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the building roofline.

10. No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting.
Finding: Not Applicable. No new lighting or changes to existing lighting is proposed as part of this development application.

11. Wireless Sites. Unless required by the Federal Aviation Administration or the Oregon Aeronautics Division, artificial lighting of wireless communication towers and antennas shall be prohibited. Strobe lighting of wireless communication facilities is prohibited unless required by the Federal Aviation Administration. Security lighting for equipment shelters or cabinets and other on-the-ground auxiliary equipment on wireless communication facilities shall be initiated by motion detecting lighting.
Finding: Not Applicable. The subject site is not a wireless site.

12. Lighting for outdoor recreational uses such as ball fields, playing fields, tennis courts, and similar uses, provided that such uses comply with the following standards:
i. Maximum permitted light post height: eighty feet.
Finding: Not Applicable. The development does not include recreational uses.

17.62.080 - Special development standards along transit streets.
B. Applicability. Except as otherwise provide in this section, the requirements of this section shall apply to the construction of new retail, office and institutional buildings which front on a transit street.
Finding: Not Applicable. The subject site is not located on a transit street.

17.62.085 - Refuse and recycling standards for commercial, industrial, and multi-family developments. The purpose and intent of these provisions is to provide an efficient, safe and convenient refuse and recycling enclosure for the public as well as the local collection firm. All new development, change in property use, expansions or exterior alterations to uses other than single-family or duplex residences shall include a refuse and recycling enclosure. The area(s) shall be:
A. Sized appropriately to meet the needs of current and expected tenants, including an expansion area if necessary;
B. Designed with sturdy materials, which are compatible to the primary structure(s);
C. Fully enclosed and visually screened;
D. Located in a manner easily and safely accessible by collection vehicles;
E. Located in a manner so as not to hinder travel lanes, walkways, streets or adjacent properties;
F. On a level, hard surface designed to discharge surface water runoff and avoid ponding;
G. Maintained by the property owner;
H. Used only for purposes of storing solid waste and recyclable materials;
I. Designed in accordance with applicable sections of the Oregon City Municipal Code (including Chapter 8.20—Solid Waste Collection and Disposal) and city adopted policies.
Finding: Not Applicable. No new refuse and recycling enclosures or changes to existing refuse and recycling enclosures are proposed as part of this development application.

<u>CHAPTER 17.52 OFF-STREET PARKING AND LOADING</u>

17.52.015 - Planning commission adjustment of parking standards.
A. Purpose: The purpose of permitting a planning commission adjustment to parking standards is to provide for flexibility in modifying parking standards in all zoning districts, without permitting an adjustment that would adversely impact the surrounding or planned neighborhood. The purpose of an adjustment is to provide flexibility to those uses which may be extraordinary, unique or to provide greater flexibility for areas that can accommodate a denser development pattern based on existing infrastructure and ability to access the site by means of walking, biking or transit. An adjustment to a

minimum or maximum parking standard may be approved based on a determination by the planning commission that the adjustment is consistent with the purpose of this Code, and the approval criteria can be met.
B. Procedure: A request for a planning commission parking adjustment shall be initiated by a property owner or authorized agent by filing a land use application. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development and parking plan, the extent of the adjustment requested along with findings for each applicable approval criteria. A request for a parking adjustment shall be processed as a Type III application as set forth in Chapter 17.50.
Finding: Applicable. This land use application includes an application for a Type III Parking Adjustment, which requests approval to exceed the maximum parking allowance onsite. The maximum parking allowance for this building is 15 spaces based on the parking requirements for medical/dental clinics, and retail uses in OCMC 17.52.020. The existing parking lot contains 21 parking stalls. The applicant has proposed an additional 18 parking stalls for a total of 39 parking stalls.

The purpose of the maximum parking allowance is to avoid overabundance of parking which encourages single occupancy auto use and creates vast areas of pavement which create greater stormwater impacts, urban heat island impacts, and contribute to suburban sprawl. The maximum parking code also exists to encourage efficient use of land and utility and transportation infrastructure, and avoid the creation of parking lots that are sized to handle parking needs that only occur one or a few times a year, such as retail parking lots sized for holiday shopping seasons, which are less than half full most days of the year.

The purpose of the parking adjustment provisions is to provide flexibility to those uses which may be extraordinary or unique. The applicant has provided a detailed description of the uses and staffing levels required. The applicant has also submitted a parking analysis of on-street parking in the vicinity, and details on the parking needed by the Milner Veterinary Clinic staff and clients.

C. Approval criteria for the adjustment are as follows:
1. Documentation: The applicant shall document that the individual project will require an amount of parking that is different from that required after all applicable reductions have been taken.
Finding: Does not Comply. The reductions alluded to in this section are not relevant to this application, as the applicant has proposed to exceed the maximum parking, not to reduce the minimum. Therefore, this standard should be read to require that the applicant demonstrate that the parking needs for the project are greater than the maximum number of off-street parking allowed by the code.

The applicant submitted a parking occupancy study showing the amount of parking that Milner Veterinary Clinic staff and clients occupy. The study was conducted over thirteen separate days, which included both weekends and weekdays, at varying times throughout the day. The parking study has demonstrated that the Milner Veterinary Clinic requires an amount of parking different than the maximum allowed by the code, due to the number of staff members. The applicant's study showed that on average there are 13 staff members in need of parking and as many as 18 at one time.

The applicant's study showed that at any given time, there were on average 23 total visitors and employees utilizing both the clinic's parking lot and on-street parking on Warner Street and Prospect Street. The lowest number of total employees and clients documented during the parking study was 16, and the highest number of total employees and clients documented during the parking study was 32.

Results of Parking Study

	Number of Parking Stalls Needed
Lowest No. of Employees and Visitors Needing Parking	16
Average No. of Employees and Visitors Needing Parking	23
Highest No. of Employees and Visitors Needing Parking	32

The maximum number of off-street parking spaces allowed by the code is 15 spaces for the clinic and retail (self-service dog wash) use, but the site currently contains 21 parking stalls. There is also an opportunity to park within the right-of-way. Aside from the 10 on-street parking spaces in front of the clinic's property, there are approximately 120 additional on-street parking spaces within 600 feet of the site along Warner Street, Prospect Street, Beverly Drive, May Street, Hughes Street, and Harris Lane. The applicant has demonstrated that due to the clinic's staffing needs, the clinic requires more parking than the maximum allowed by the Oregon City Municipal Code (15 stalls), however, the applicant has not provided adequate justification for why the 21 stalls on the site are inadequate given the 10 adjacent on-street stalls, and the approximately 120 additional on-street parking spaces within 600 feet.

The applicant did not demonstrate why the 39 stalls proposed are needed. No shared parking agreement is proposed under this application, so the 39 proposed off-street parking stalls would serve only the Milner Veterinary Clinic and would exceed even the highest number of parked cars that were documented during the parking study for clinic. Without even taking into consideration available on-street parking, the requested number of stalls would provide more than one and a half times the amount of parking of the average number of needed stalls documented during the parking study, and more than double the amount of parking needed during the lowest parking occupancy period documented during the study.

As part of the justification for the additional parking, the applicant identified that there are plans to expand the clinic in the future, which would result in a need for more parking due to the additional building square footage and a loss in parking to accommodate the expansion footprint. Though an expansion of the building would increase the maximum number of parking stalls allowed, adequacy of the amount of available parking would be evaluated at the time of the expansion, because at this time details of the size of the expansion are unknown and there is no way to guarantee that an expansion will be approved or built. Except for master plan developments which are built through multiple phases, parking stall demand is calculated based on existing conditions, not future plans for development. Though the applicant has shown that the clinic requires more parking than the 15 maximum parking stalls allowed by the Oregon City Municipal Code, justification for the total 39 requested parking stalls has not been provided.

2. Parking analysis for surrounding uses and on-street parking availability: The applicant must show that there is a continued fifteen percent parking vacancy in the area adjacent to the use during peak parking periods and that the applicant has permission to occupy this area to serve the use pursuant to the procedures set forth by the community development director.
a. For the purposes of demonstrating the availability of on street parking as defined in [Section] 17.52.020.B.3., the applicant shall undertake a parking study during time periods specified by the community development director. The time periods shall include those during which the highest parking demand is anticipated by the proposed use. Multiple observations during multiple days shall be required. Distances are to be calculated as traversed by a pedestrian that utilizes sidewalks and legal crosswalks or an alternative manner as accepted by the community development director.

b. The onsite parking requirements may be reduced based on the parking vacancy identified in the parking study. The amount of the reduction in onsite parking shall be calculated as follows:
i. Vacant on-street parking spaces within three hundred feet of the site will reduce onsite parking requirements by 0.5 parking spaces; and
ii. Vacant on-street parking spaces between three hundred and six hundred feet of the [site] will reduce onsite parking requirements by 0.2 parking spaces.
Finding: Does not Comply. This criteria language assumes the parking adjustment requests providing off-street parking at levels below the minimum code requirement. In this instance, the project is requesting approval to exceed the off-street maximum parking, rather than reduce the minimum requirement, therefore the inverse of the criteria applies.

In addition to the parking analysis of Milner Veterinary Clinic staff and clients, the applicant submitted a separate parking study evaluating overall on-street parking availability along the clinic property's frontage by providing parking counts showing how many of the parking stalls along the clinic's frontage were occupied on different days at various times throughout the day. This study takes into consideration not only parked vehicles associated with Milner Veterinary Clinic, but also on-street parking along the property's frontage occupied by neighborhood residents, visitors, and staff and clients of the dental clinic at 1104 Molalla Avenue. Detailed information is provided in the applicant's parking study in Exhibit 4.

This section allows for on-street parking within up to 600 feet of the site to be considered within the parking study, however, the analysis submitted by the applicant only evaluates on-street parking availability along the property's frontage. Aside from the 10 on-street parking spaces in front of the clinic's property, there are approximately 120 additional on-street parking spaces within 600 feet of the site along Warner Street, Prospect Street, Beverly Drive, May Street, Hughes Street, and parts of Harris Lane. Though Bullard Street and Molalla Avenue are within 600 feet of the site, there is no on-street parking on Molalla Avenue, and Bullard Street is not wide enough to allow for on-street parking, therefore, these streets were not considered when calculating the number of on-street parking spaces in the vicinity of the site. Driveway curb cuts and areas where parking is prohibited were also excluded when calculating the approximate number of on-street parking stalls in the vicinity of the veterinary clinic (Figure 5).

Figure 5: On-street Parking within 600 feet of Milner Veterinary Clinic

Because the applicant did not submit a parking analysis of on-street parking within 600 feet of the subject site, staff utilized aerial photographs from the past five years, the most recent Google aerial images, the most recent Bing aerial images, and the most recent Google Streetview images to demonstrate that on-street parking in the area is consistently available. Of the approximately 130 on-street parking spots within 600 feet of the site, an average of 23 on-street stalls were occupied between the different mapping sources used, meaning that approximately 107 on-street parking stalls were consistently available within 600 feet of the subject site (Exhibit 5).

On-street parking in the area is a valuable shared public amenity that already exists and can be efficiently utilized to serve neighborhood residents, employees and patrons of neighborhood businesses, and the general public. Utilization of available on-street parking allows for efficient use of both private property and public right-of-way. In addition, on-street parking can also act as a traffic-calming measure, by narrowing the width of the driving lane and causing drivers to slow down, pay attention to their surroundings and drive more cautiously.

Though the applicant has demonstrated that the clinic requires more parking than the 15 maximum parking stalls allowed by the code, the applicant has not provided justification for a total of 39 parking stalls, and it appears that any additional parking needs can be accommodated with the ample on-street parking in the vicinity of clinic.

Staff finds that the applicant has not demonstrated that the clinic's parking needs cannot be met with the existing on-street parking in the vicinity of the clinic, therefore, this standard has not been met.

3. Function and Use of Site: The applicant shall demonstrate that modifying the amount of required parking spaces will not significantly impact the use or function of the site and/or adjacent sites.
Finding: Complies as Proposed. The additional parking will result in an increase in impervious surface which contributes to the urban heat island effect and stormwater runoff, however, these impacts are offset by proposed stormwater management and parking lot landscaping. The applicant submitted several letters of support from neighboring residents and businesses, and a petition from clients of Milner Veterinary Clinic identifying support for the proposed parking lot. Additionally, public notice for the proposed project was provided via signs on the subject site, mailed notice to properties within 300 feet, and in the newspaper, and no comments identifying that the project would significantly impact use or function of the site were received.

4. Compatibility: The proposal is compatible with the character, scale and existing or planned uses of the surrounding neighborhood.
Finding: Complies as Proposed. The surrounding neighborhood is located near the Molalla Avenue corridor and includes a mix of residential and commercial uses. The area includes several parking lots for businesses located on Molalla Avenue, and the proposed parking lot would be consistent with the neighborhood's character, scale and uses. The applicant submitted several letters of support from neighboring residents and businesses, and a petition from clients of Milner Veterinary Clinic identifying support for the proposed parking lot. Additionally, public notice for the proposed project was provided via signs on the subject site, mailed notice to properties within 300 feet, and in the newspaper, and no comments identifying that the project is incompatible with the neighborhood were received.

5. Safety: The proposal does not significantly impact the safety of adjacent properties and rights-of-way.
Finding: Complies as Proposed. The parking lot is designed in conformance with City standards, ensuring that turning, maneuvering and egress routes are adequately configured for safe use. The applicant submitted several letters of support from neighboring residents and businesses, and a petition from clients of Milner Veterinary Clinic identifying support for the proposed parking lot. Additionally, public notice for the proposed project was provided via signs on the subject site, mailed notice to properties within 300 feet, and in the newspaper, and no comments identifying safety concerns were received.

6. Services: The proposal will not create a significant impact to public services, including fire and emergency services.
Finding: Complies as Proposed. The proposed parking lot is not anticipated to utilize public service connections. A demand for new utility services is not required for the parking lot improvements (e.g. water or electricity). The need for fire or emergency services should be minimal, given no new structures are proposed as part of this development. Public notice for the proposed project was provided via signs on the subject site, mailed notice to properties within 300 feet, and in the newspaper, and no comments identifying concerns about impacts to public services were received. Additionally, no comments were received from Clackamas Fire District.

17.52.020 - Number of automobile spaces required.

A. The number of parking spaces shall comply with the minimum and maximum standards listed in Table 17.52.020. The parking requirements are based on spaces per one thousand square feet net leasable area unless otherwise stated.

Table 17.52.020	
LAND USE	*PARKING REQUIREMENTS*

	MINIMUM	*MAXIMUM*
Multi-Family: Studio	*1.00 per unit*	*1.5 per unit*
Multi-Family: 1 bedroom	*1.25 per unit*	*2.00 per unit*
Multi-Family: 2 bedroom	*1.5 per unit*	*2.00 per unit*
Multi-Family: 3 bedroom	*1.75 per unit*	*2.50 per unit*
Hotel, Motel	*1.0 per guest room*	*1.25 per guest room*
Correctional Institution	*1 per 7 beds*	*1 per 5 beds*
Senior housing, including congregate care, residential care and assisted living facilities; nursing homes and other types of group homes	*1 per 7 beds*	*1 per 5 beds*
Hospital	*2.00*	*4.00*
Preschool Nursery/Kindergarten	*2.00*	*3.00*
Elementary/Middle School	*1 per classroom*	*1 per classroom + 1 per administrative employee + 0.25 per seat in auditorium/assembly room/stadium*
High School, College, Commercial School for Adults	*0.20 per # staff and students*	*0.30 per # staff and students*
Auditorium, Meeting Room, Stadium, Religious Assembly Building, movie theater,	*.25 per seat*	*0.5 per seat*
Retail Store, Shopping Center, Restaurants	*4.10*	*5.00*
Office	*2.70*	*3.33*
Medical or Dental Clinic	*2.70*	*3.33*
Sports Club, Recreation Facilities	*Case Specific*	*5.40*
Storage Warehouse, Freight Terminal	*0.30*	*0.40*
Manufacturing, Wholesale Establishment	*1.60*	*1.67*

Light Industrial, Industrial Park	*1.3*	*1.60*

1. *Multiple Uses. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.*

Finding: Complies as Proposed. The existing use is a veterinary clinic with approximately 3,800 square feet of net leasable area. Approximately 900 SF of the building is a self-service dog wash, and the remaining 2,900 SF is the veterinary clinic area. Based on the parking requirements for medical or dental clinic, a minimum of 8 parking stalls are required, and a maximum of 10 parking stalls are allowed for the clinic. Using the parking requirements for a retail use, a minimum of 4 parking stalls, and a maximum of 5 parking stalls are allowed for the self-service dog wash. In total, the building requires a minimum of 12 parking stalls and a maximum of 15 parking stalls. The existing parking lot is developed with 21 parking stalls and the applicant has proposed an additional parking lot with 18 spaces for a total of 39 parking stalls. Because the proposal exceeds the maximum number of parking stalls allowed by the code, the applicant has requested a Planning Commission parking adjustment in accordance with 17.52.015. Please refer to the analysis in Section 17.52.015 of this report.

2. Requirements for types of buildings and uses not specifically listed herein shall be determined by the community development director, based upon the requirements of comparable uses listed.

Finding: Complies as Proposed. The existing use is a veterinary clinic which is not listed in the Table 17.52.020, however, the use is substantially similar to medical or dental clinics and offices which are listed in Table 17.52.020 and require a minimum of 2.7 parking stalls and a maximum of 3.33 parking stalls. The building also includes a self-service dog wash, which is not a listed use in Table 17.52.020. The self-service dog wash use is more similar to a retail use rather than a clinic because visitors can drop in at anytime unlike a clinic use where clients are regulated by appointment times.

3. Where calculation in accordance with the above list results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.

Finding: Complies as Proposed. Fractions were rounded in accordance with this chapter.

4. The minimum required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of vehicles used in conducting the business or use.

Finding: Complies as Proposed. The applicant has requested a Planning Commission parking adjustment for additional parking for visitors, customers and employees. The applicant has not proposed to utilize the minimum number of parking stalls for any other purpose.

5. A change in use within an existing habitable building located in the MUD Design District or the Willamette Falls Downtown District is exempt from additional parking requirements. Additions to an existing building and new construction are required to meet the minimum parking requirements for the areas as specified in Table 17.52.020 for the increased square footage.

Finding: Not Applicable. The subject site is not located within the MUD Design District or the Willamette Falls Downtown District, therefore, this standard is not applicable.

B. Parking requirements can be met either onsite, or offsite by meeting the following conditions:

1. Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (e.g. the uses operate on different days or

at different times of the day). In that case, the total requirements shall be reduced accordingly, up to a maximum reduction of fifty percent, as determined by the community development director.
2. Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlay (e.g., uses primarily of a daytime versus nighttime nature), that the shared parking facility is within one thousand feet of the potential uses, and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument authorizing the joint use.
3. On-Street Parking. On-street parking may be counted toward the minimum standards when it is on the street face abutting the subject land use. An on-street parking space must not obstruct a required clear vision area and it shall not violate any law or street standard. On-street parking for commercial uses shall conform to the following standards:
a. Dimensions. The following constitutes one on-street parking space:
1. Parallel parking, each [twenty-two] feet of uninterrupted and available curb;
2. [Forty-five/sixty] degree diagonal, each with [fifteen] feet of curb;
3. Ninety degree (perpendicular) parking, each with [twelve] feet of curb.
4. Public Use Required for Credit. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.
Finding: Not Applicable. The applicant has not proposed any of the options provided in this section. All parking stalls are accommodated onsite.

C. Reduction of the Number of Automobile Spaces Required. The required number of parking stalls may be reduced in the Downtown Parking Overlay District: Fifty percent reduction in the minimum number of spaces required is allowed prior to seeking further reductions in [sub]sections 2. and 3. below:
1. Transit Oriented Development. For projects not located within the Downtown Parking Overlay District, the community development director may reduce the required number of parking stalls up to twenty-five percent when it is determined that a project in a commercial center (sixty thousand square feet or greater of retail or office use measured cumulatively within a five hundred-foot radius) or multi-family development with over eighty units, is adjacent to or within one thousand three hundred twenty feet of an existing or planned public transit street and is within one thousand three hundred twenty feet of the opposite use (commercial center or multi-family development with over eighty units).
2. Reduction in Parking for Tree Preservation. The community development director may grant an adjustment to any standard of this requirement provided that the adjustment preserves a regulated tree or grove so that the reduction in the amount of required pavement can help preserve existing healthy trees in an undisturbed, natural condition. The amount of reduction must take into consideration any unique site conditions and the impact of the reduction on parking needs for the use, and must be approved by the community development director. This reduction is discretionary.
3. Transportation Demand Management. The community development director may reduce the required number of parking stalls up to twenty-five percent when a parking-traffic study prepared by a traffic engineer demonstrates:
a. Alternative modes of transportation, including transit, bicycles, and walking, and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development, as compared to standard Institute of Transportation Engineers vehicle trip generation rates and further that the transportation demand management program promotes or achieves parking utilization lower than minimum city parking requirements.
b. Transportation demand management (TDM) program has been developed for approval by, and is approved by the city engineer. The plan will contain strategies for reducing vehicle use and parking demand generated by the development and will be measured annually. If, at the annual assessment, the

city determines the plan is not successful, the plan may be revised. If the city determines that no good-faith effort has been made to implement the plan, the city may take enforcement actions.
4. The minimum required number of stalls may be reduced by up to 10% when the subject property is adjacent to an existing or planned fixed public transit route or within 1,000 feet of an existing or planned transit stop.
Finding: Not Applicable. The applicant has not requested a reduction to the number of automobile spaces required, therefore, this standard is not applicable.

17.52.030 - Standards for automobile parking.
A. Access. Ingress and egress locations on public thoroughfares shall be located in the interests of public traffic safety. Groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. No driveway with a slope of greater than fifteen percent shall be permitted without approval of the city engineer.
Finding: Complies with Condition. The access point shown on the engineering plans by kpff is acceptable as shown. All driveways, proposed and existing, shall be made ADA compliant. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

B. Surfacing. Required off-street parking spaces and access aisles shall have paved surfaces adequately maintained. The use of pervious asphalt/concrete and alternative designs that reduce storm water runoff and improve water quality pursuant to the city's stormwater and low impact development design standards are encouraged.
Finding: Complies as Proposed. The materials shown within the application are acceptable.

C. Drainage. Drainage shall be designed in accordance with the requirements of Chapter 13.12 and the city public works stormwater and grading design standards.
Finding: Complies with Condition. The development shall comply with the current version of the Oregon City Stormwater and Grading Design Standards. While the plan proposes pervious asphalt, the applicant will still need to show that all standards are met. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

D. Dimensional Standards.
1. Requirements for parking developed at varying angles are according to the table included in this section. A parking space shall not be less than seven feet in height when within a building or structure, and shall have access by an all-weather surface to a street or alley. Parking stalls in compliance with the American with Disabilities Act may vary in size in order to comply with the building division requirements. Up to thirty-five percent of the minimum required parking may be compact, while the remaining required parking stalls are designed to standard dimensions. The community development director may approve alternative dimensions for parking stalls in excess of the minimum requirement which comply with the intent of this chapter.
2. Alternative parking/plan. Any applicant may propose an alternative parking plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. In such situations, the community development director may approve an alternative parking lot plan with variations to parking dimensions of this section. The alternative shall be consistent with the intent of this chapter and shall create a safe space for automobiles and pedestrians while providing landscaping to the quantity and quality found within parking lot landscaping requirements.
PARKING *STANDARD*
PARKING ANGLE SPACE DIMENSIONS

A Parking Angle		*B Stall Width*	*C Stall to Curb*	*D Aisle Width*	*E Curb Length*	*F Overhang*
0 degrees		*8.5*	*9.0*	*12*	*20*	*0*
30 degrees	*Standard* *Compact*	*9'* *8'*	*17.3'* *14.9'*	*11'* *11'*	*18'* *16'*	
45 degrees	*Standard* *Compact*	*8.5* *8.5*	*19.8'* *17.0'*	*13'* *13'*	*12.7'* *11.3'*	*1.4*
60 degrees	*Standard* *Compact*	*9'* *8'*	*21'* *17.9'*	*18'* *16'*	*10.4'* *9.2'*	*1.7*
90 degrees	*Standard* *Compact*	*9'* *8'*	*19.0'* *16.0'*	*24'* *22'*	*9'* *8'*	*1.5*

Finding: Complies with Condition. The applicant has proposed 18 new parking stalls. The proposed stalls are 90-degree standard-sized stalls. The stalls are in compliance with the stall width and length requirements, however, the proposed aisle widths exceed 24 feet. The aisle width on the east side of the parking lot is 29 feet in width in order to accommodate the maneuvering of cars parked in the corner stalls, however, the drive aisle adjacent to the driveway is 32 feet in width exceeding the aisle width for standard-sized 90-degree stalls. Prior to issuance of a permit associated with the development, the applicant shall submit a revised parking lot layout in which the drive aisle adjacent to the driveway does not exceed 24 feet in width. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

E. Carpool and Vanpool Parking. New developments with seventy-five or more parking spaces, and new hospitals, government offices, group homes, nursing and retirement homes, schools and transit park-and-ride facilities with fifty or more parking spaces, shall identify the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other employee, student or commuter parking spaces with the exception of ADA accessible parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only."

Finding: Not Applicable. The development does not include seventy-five or more parking spaces or any of the uses identified within this section as requiring carpool or vanpool parking, therefore, this section is not applicable.

B. Number of Bicycle Spaces Required. For any use not specifically mentioned in Table A, the bicycle parking requirements shall be the same as the use which, as determined by the community development director, is most similar to the use not specifically mentioned. Calculation of the number of bicycle parking spaces required shall be determined in the manner established in Section 17.52.020 for determining automobile parking space requirements. Modifications to bicycle parking requirements may be made through the site plan and design, conditional use, or master plan review process.

*TABLE A Required Bicycle Parking Spaces**

Where two options for a requirement are provided, the option resulting in more bicycle parking applies. Where a calculation results in a fraction, the result is rounded up to the nearest whole number.

** Covered bicycle parking is not required for developments with two or fewer stalls.*

Required Bicycle Parking Spaces*

USE	*MINIMUM BICYCLE PARKING*	*MINIMUM BICYCLE PARKING - COVERED*
Office	*1 per 20 auto spaces (min. of 2)*	*50% (min. of 1)*
Medical and Dental Clinic	*1 per 20 auto spaces (min. of 2)*	*50% (min. of 1)*

** Covered bicycle parking is not required for developments with two or fewer stalls.*

Finding: Complies as Proposed. The proposal includes a total of 39 parking stalls requiring two bicycle parking spaces (39/20 = 1.95). The existing veterinary clinic is developed with a bicycle parking rack which accommodates two bicycles, therefore, no additional bicycle parking is required.

C. Security of Bicycle Parking. Bicycle parking facilities shall be secured. Acceptable secured bicycle parking area shall be in the form of a lockable enclosure onsite, secure room in a building onsite, a covered or uncovered rack onsite, bicycle parking within the adjacent right-of-way or another form of secure parking where the bicycle can be stored, as approved by the decision maker. All bicycle racks and lockers shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience and, when in the right-of-way shall comply with clearance and ADA requirements.

D. Bicycle parking facilities shall offer security in the form of either a lockable enclosure or a stationary rack to which the bicycle can be locked. All bicycle racks and lockers shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience.

Finding: Not Applicable. No new bicycle parking or changes to existing bicycle parking are proposed or required as part of this development application.

Location of Bicycle Parking:

1. Bicycle parking shall be located on-site, in one or more convenient, secure and accessible location. The city engineer and the community development Director may permit the bicycle parking to be provided within the right-of-way provided adequate clear zone and ADA requirements are met. If sites have more than one building, bicycle parking shall be distributed as appropriate to serve all buildings. If a building has two or more main building entrances, the review authority may require bicycle parking to be distributed to serve all main building entrances, as it deems appropriate.

2. Bicycle parking areas shall be clearly marked or visible from on-site buildings or the street. If a bicycle parking area is not plainly visible from the street or main building entrance, a sign must be posted indicating the location of the bicycle parking area. Indoor bicycle parking areas shall not require stairs to access the space unless approved by the community development director.

3. All bicycle parking areas shall be located to avoid conflicts with pedestrian and motor vehicle movement.

a. Bicycle parking areas shall be separated from motor vehicle parking and maneuvering areas and from arterial streets by a barrier or a minimum of five feet.

b. Bicycle parking areas shall not obstruct pedestrian walkways; provided, however, that the review authority may allow bicycle parking in the right-of-way where this does not conflict with pedestrian accessibility.

4. Accessibility.

a. Outdoor bicycle areas shall be connected to main building entrances by pedestrian accessible walkways.

b. Outdoor bicycle parking areas shall have direct access to a right-of-way.

c. Outdoor bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space, or fifty feet, whichever is less, unless otherwise determined by the community development director, city engineer, or planning commission.
Finding: Not Applicable. The clinic has existing bicycle parking which complies with minimum bicycle parking requirements. No new bicycle parking or changes to existing bicycle parking are proposed or required as part of this development application.

17.52.060 - Parking lot landscaping.
A. Development Standards.
1. The landscaping shall be located in defined landscaped areas that are uniformly distributed throughout the parking or loading area.
Finding: Complies as Proposed. The proposed landscaping throughout the parking lot is uniformly distributed.

2. All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.
Finding: Complies with Condition. The parking lot includes a drive aisle that is wider than required. The additional drive aisle width is not required for maneuvering or circulation. Prior to issuance of a permit associated with the proposed development, the applicant shall provide a revised parking lot layout in which the drive aisle adjacent to the driveway is no more than 24 feet in width and all areas in the parking lot not used for parking, maneuvering, or circulation are landscaped. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

3. Parking lot trees shall be a mix of deciduous shade trees and coniferous trees. The trees shall be evenly distributed throughout the parking lot as both interior and perimeter landscaping to provide shade.
Finding: Complies as Proposed. The landscape plan includes a mix of deciduous and coniferous trees spread throughout the parking lot.

4. Required landscaping trees shall be of a minimum two-inch minimum caliper size (though it may not be standard for some tree types to be distinguished by caliper), planted according to American Nurseryman Standards, and selected from the Oregon City Street Tree List;
Finding: Complies as Proposed. The landscape plan identifies that all parking lot trees will be a minimum of two inches in caliper and planted according to American Nurseryman standards.

5. Landscaped areas shall include irrigation systems unless an alternate plan is submitted, and approved by the community development director, that can demonstrate adequate maintenance;
Finding: Complies as Proposed. The applicant submitted an irrigation plan demonstrating compliance with this criterion.

6. All plant materials, including trees, shrubbery and ground cover should be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage and staggered flowering periods. Species found on the Oregon City Native Plant List are strongly encouraged and species found on the Oregon City Nuisance Plant List are prohibited.
Finding: Complies with Condition. The landscaping plan includes Otto Luyken English Laurel (Prunus laurocerasus) which is listed on the Oregon City Nuisance Plant List. Prior to issuance of a permit associated with the proposed development, the applicant shall submit a revised landscaping plan which does not include Otto Luyken English Laurel (Prunus laurocreasus) or any other species on the Oregon City Nuisance Plant List. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

7. The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of Chapter 10.32, Traffic Sight Obstructions.
Finding: Complies as Proposed. The parking lot landscaping does not obstruct lines of sight or impede safe traffic operation.

8. Landscaping shall incorporate design standards in accordance with Chapter 13.12, Stormwater Management.
Finding: Please refer to the findings in Chapter 13.12 of this report.

B. Perimeter Parking Lot Landscaping and Parking Lot Entryway/Right-of-Way Screening. Parking lots shall include a five-foot wide landscaped buffer where the parking lot abuts the right-of-way and/or adjoining properties. In order to provide connectivity between non-single-family sites, the community development director may approve an interruption in the perimeter parking lot landscaping for a single driveway where the parking lot abuts property designated as multi-family, commercial or industrial. Shared driveways and parking aisles that straddle a lot line do not need to meet perimeter landscaping requirements.
Finding: Complies as Proposed. The landscaping plan includes a five-foot wide perimeter parking lot landscaping buffer where the proposed parking lot abuts the right-of-way or adjacent properties.

1. The perimeter parking lot are[a] shall include:
a. Trees spaced a maximum of thirty-five feet apart (minimum of one tree on either side of the entryway is required). When the parking lot is adjacent to a public right-of-way, the parking lot trees shall be offset from the street trees;
Finding: Complies as Proposed. The perimeter parking lot landscaping includes trees spaced no more than 35 feet apart, and includes one tree on either side of the entryway.

b. Ground cover, such as wild flowers, spaced a maximum of 16-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
Finding: Complies with Condition. The perimeter parking lot includes ground cover spaced a maximum of 16-inches on center, however the landscaping plan did not identify that the groundcover will cover one hundred percent of the exposed ground within three years or that no bark mulch shall be allowed under the canopy of shrubs and within two feet of the base of trees. Prior to issuance of a permit associated with the proposed development, the applicant shall submit a revised landscaping plan which identifies that no bark mulch will be allowed except under the canopy of shrubs and within two feet of the base of trees, and that ground cover will cover one hundred percent of the exposed ground in the perimeter parking area within three years of planting. **Staff has determined that it is possible likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

c. An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average. The hedge/shrubs shall be parallel to and not nearer than two feet from the right-of-way line. The required screening shall be designed to allow for free access to the site and sidewalk by pedestrians. Visual breaks, no more than five feet in width, shall be provided every thirty feet within evergreen hedges abutting public right-of-ways.
Finding: Complies as Proposed. The landscaping plan includes shrubs spaced no more than 4 feet on center on average.

C. Parking Area/Building Buffer. Parking areas shall be separated from the exterior wall of a structure, exclusive of pedestrian entranceways or loading areas, by one of the following:

1. Minimum five-foot wide landscaped planter strip (excluding areas for pedestrian connection) abutting either side of a parking lot sidewalk with:
a. Trees spaced a maximum of thirty-five feet apart;
b. Ground cover such as wild flowers, spaced a maximum of sixteen-inches on center covering one hundred percent
of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
c. An evergreen hedge of thirty to forty-two inches or shrubs placed no more than four feet apart on average; or
2. Seven-foot sidewalks with shade trees spaced a maximum of thirty-five feet apart in three-foot by five-foot tree wells.
Finding: Not Applicable. The proposed parking lot is located on a separate property from the building, therefore, parking area/building buffer landscaping for the new parking lot is not required.

D. Interior Parking Lot Landscaping. Surface parking lots shall have a minimum ten percent of the interior of the gross area of the parking lot devoted to landscaping to improve the water quality, reduce stormwater runoff, and provide pavement shade. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum total site landscaping required by Section 17.62.050(1) unless otherwise permitted by the dimensional standards of the underlying zone district. Pedestrian walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. Interior parking lot landscaping shall include.
Finding. Complies as Proposed. The gross area of the parking lot is approximately 6,150 square feet in size, and the applicant has proposed approximately 850 square feet of interior parking lot landscaping resulting in approximately 13.8% landscaping of the interior of the gross area of the parking lot (850/6150 = 0.1382).

a. A minimum of one tree per six parking spaces.
Finding: Complies as Proposed. The parking lot includes 18 parking stalls, therefore, 3 interior parking lot trees are required. The applicant has proposed four trees within the interior parking lot area, therefore, the standard is met.

b. Ground cover, such as wild flowers, spaced a maximum of sixteen-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.
Finding: Complies with Condition. The interior parking lot landscaping includes ground cover spaced a maximum of 16-inches on center, however the landscaping plan did not identify that the groundcover will cover one hundred percent of the exposed ground within three years or that no bark mulch shall be allowed under the canopy of shrubs and within two feet of the base of trees. Prior to issuance of a permit associated with the proposed development, the applicant shall submit a revised landscaping plan which identifies that no bark mulch will be allowed except under the canopy of shrubs and within two feet of the base of trees, and that ground cover will cover one hundred percent of the exposed ground in the interior parking lot landscaping area within three years of planting. **Staff has determined that it is possible likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

c. Shrubs spaced no more than four feet apart on average.
Finding: Complies with Condition. The interior parking lot landscaping in the southeast corner of the parking lot includes shrubs spaced more than four feet apart on average. Prior to issuance of a permit associated with the proposed development, the applicant shall submit a revised landscaping plan which includes shrubs spaced no more than four feet apart on average within the interior parking lot

landscaping area. **Staff has determined that it is possible, likely, and reasonable that the applicant can meet this standard through the Conditions of Approval.**

d. No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them. Landscape strips shall be provided between rows of parking shall be a minimum of six feet in width and a minimum of ten feet in length.
Finding: Complies as Proposed. The proposed parking lot layout does not include more than eight contiguous parking stalls without an interior landscape strip between them.

e. Pedestrian walkways shall have shade trees spaced a maximum of every thirty-five feet in a minimum three-foot by five-foot tree wells; or
Trees spaced every thirty-five feet, shrubs spaced no more than four feet apart on average, and ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.
Finding: Not Applicable. The proposed parking lot layout does not include pedestrian walkways within the parking lot.

E. Installation.
1. All landscaping shall be installed according to accepted planting procedures, according to American Nurseryman Standards.
2. The site, soils and proposed irrigation systems shall be appropriate for the healthy and long-term maintenance of the proposed plant species.
3. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the city, such as the posting of a surety.
Finding: Complies with Condition. The landscaping plan identified that all proposed plants will comply with American Nurseryman Standards, and provided an irrigation plan to ensure proper irrigation for the proposed parking lot landscaping. There is no certificate of occupancy associated with a parking lot, therefore, within 120 days of construction onsite commencing, all landscaping shall be planted per the approved landscaping plan or other arrangements, such as the posting of a surety, shall be made in order to ensure the planting of parking lot landscaping. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

17.52.070 - Alternative landscaping plan.
Any applicant may propose an alternative landscaping plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. Alternative plans may include the use of low impact development techniques and minimized landscaping requirements. In such situations, the community development director may approve variations to the landscaping standards of section 17.52.060.
A. General Review Standard. The alternative shall be meet or exceed the intent of this chapter and shall create a safe space for automobiles and pedestrians. The alternative landscaping plan shall be prepared by a licensed landscape architect.
B. Credit for Pervious/Low Impact Development. The community development director may count up to fifty percent of the square footage of any pervious hardscaped landscape material within a parking lot that is designed and approved pursuant to the city's adopted stormwater and low impact development design standards toward minimum landscaping requirements for the site. (This includes porous pavement detention, open celled block pavers, porous asphalt, porous concrete pavement, porous turf, porous gravel, etc).
Finding: Not Applicable. The applicant did not propose an alternative landscaping plan.

17.52.080 - Maintenance.

The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of the site including but not limited to the off-street parking and loading spaces, bicycle parking and all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris.
All plant growth in interior landscaped areas shall be controlled by pruning, trimming, or otherwise so that:
a. It will not interfere with the maintenance or repair of any public utility;
b. It will not restrict pedestrian or vehicular access; and
c. It will not constitute a traffic hazard due to reduced visibility.
Finding: Complies as Proposed. The applicant's narrative identified that the property owner acknowledges responsibility for the maintenance of all parking areas.

17.52.090 - Loading areas.
B. Applicability.
1. Section 17.52.090 applies to uses that are expected to have service or delivery truck visits with a forty-foot or longer wheelbase, at a frequency of one or more vehicles per week. The city engineer and decision maker shall determine through site plan and design review the number, size, and location of required loading areas, if any.
C. Standards.
1. The off-street loading space shall be large enough to accommodate the largest vehicle that is expected to serve the use without obstructing vehicles or pedestrian traffic on adjacent streets and driveways. Applicants are advised to provide complete and accurate information about the potential need for loading spaces because the city engineer or decision maker may restrict the use of other public right-of-way to ensure efficient loading areas and reduce interference with other uses.
2. Where parking areas are prohibited between a building and the street, loading areas are also prohibited.
3. The city engineer and decision maker, through site plan and design review, may approve a loading area adjacent to or within a street right-of-way when all of the following loading and unloading operations conditions are met:
a. Short in duration (i.e., less than one hour);
b. Infrequent (less than three operations daily between 5:00 a.m. and 12:00 a.m. or all operations between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone);
c. Does not obstruct traffic during peak traffic hours;
d. Does not interfere with emergency response services; and
e. Is acceptable to the applicable roadway authority.
Finding: Not Applicable. No loading areas are proposed.

CHAPTER 12.04 - STREETS SIDEWALKS AND PUBLIC PLACES

12.04.003 *- Applicability.*
A. Compliance with this chapter is required for all land divisions, site plan and design review, master plan, detailed development plan and conditional use applications and all public improvements.
B. Compliance with this chapter is also required for new construction or additions which exceed fifty percent of the existing square footage, of all single and two-family dwellings. All applicable single and two-family dwellings shall provide any necessary dedications, easements or agreements as identified in the transportation system plan and this chapter. In addition, the frontage of the site shall comply with the following prioritized standards identified in this chapter:
1. Improve street pavement, construct curbs, gutters, sidewalks and planter strips; and
2. Plant street trees.

The cost of compliance with the standards identified in 12.04.003.B.1 and 12.04.003.B.2 is limited to ten percent of the total construction costs. The value of the alterations and improvements as determined by the community development director is based on the entire project and not individual building permits. It is the responsibility of the applicant to submit to the community development director the value of the required improvements. Additional costs may be required to comply with other applicable requirements associated with the proposal such as access or landscaping requirements.
Finding: Applicable. This project falls under a Type II review, site plan and design review; therefore, public improvements and street trees are required where appropriate.

12.04.005 *- Jurisdiction and management of the public rights-of-way.*
A. The city has jurisdiction and exercises regulatory management over all public rights-of-way within the city under authority of the City Charter and state law by issuing separate public works right-of-way permits or permits as part of issued public infrastructure construction plans. No work in the public right-of-way shall be done without the proper permit. Some public rights-of-way within the city are regulated by the State of Oregon Department of Transportation (ODOT) or Clackamas County and as such, any work in these streets shall conform to their respective permitting requirements.
B. Public rights-of-way include, but are not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements and all other public ways or areas, including the subsurface under and air space over these areas.
C. The city has jurisdiction and exercises regulatory management over each public right-of-way whether the city has a fee, easement, or other legal interest in the right-of-way. The city has jurisdiction and regulatory management of each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.
D. No person may occupy or encroach on a public right-of-way without the permission of the city. The city grants permission to use rights-of-way by franchises, licenses and permits.
E. The exercise of jurisdiction and regulatory management of a public right-of-way by the city is not official acceptance of the right-of-way, and does not obligate the city to maintain or repair any part of the right-of-way.
Finding: Complies with Condition. The City has jurisdiction over Warner Street and the development exists within the City Limits. The development shall comply with all current Oregon City Public Works design standards, specifications, codes, and policies. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

12.04.007 *- Modifications.*
The review body may consider modification of this standard resulting from constitutional limitations restricting the city's ability to require the dedication of property or for any other reason, based upon the criteria listed below and other criteria identified in the standard to be modified. All modifications shall be processed through a Type II Land Use application and may require additional evidence from a transportation engineer or others to verify compliance. Compliance with the following criteria is required:
A. The modification meets the intent of the standard;
B. The modification provides safe and efficient movement of pedestrians, motor vehicles, bicyclists and freight;
C. The modification is consistent with an adopted plan; and
D. The modification is complementary with a surrounding street design; or, in the alternative;
E. If a modification is requested for constitutional reasons, the applicant shall demonstrate the constitutional provision or provisions to be avoided by the modification and propose a modification that complies with the state or federal constitution. The city shall be under no obligation to grant a modification in excess of that which is necessary to meet its constitutional obligations.
Finding: Not Applicable. No modification has been requested.

12.04.010 *- Construction specifications—Improved streets.*
All sidewalks hereafter constructed in the city on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan. The curb shall be constructed at the same time as the construction of the sidewalk and shall be located as provided in the ordinance authorizing the improvement of said street next proceeding unless otherwise ordered by the city commission. Both sidewalks and curbs are to be constructed according to plans and specifications provided by the city engineer.
Finding: Complies with Condition. The plans propose work on Warner Street. The workmanship and materials for any work performed under permits issued by Oregon City Public Works shall be in accordance with the current edition of the "Oregon Standard Specifications for Construction" as prepared by the Oregon Department of Transportation (ODOT) and the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

12.04.020 *- Construction specifications—Unimproved streets.*
Sidewalks constructed on unimproved streets shall be constructed of concrete according to lines and grades established by the city engineer and approved by the city commission. On unimproved streets curbs do not have to be constructed at the same time as the sidewalk.
Finding: Complies with Condition. The plans are adding sidewalk where none currently exists on Warner Street. The workmanship and materials for any work performed under permits issued by Oregon City Public Works shall be in accordance with the edition of the "Oregon Standard Specifications for Construction" as prepared by the Oregon Department of Transportation (ODOT) and the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

12.04.025 *- Street design—Driveway curb cuts.*
A. One driveway shall be allowed per frontage. In no case shall more than two driveways be allowed on any single or two-family residential property with multiple frontages.
B. With the exception of the limitations identified in 12.04.025.C, all driveway curb cuts shall be limited to the following dimensions.

Property Use	*Minimum Driveway Width at sidewalk or property line*	*Maximum Driveway Width at sidewalk or property line*
Single or two-family dwelling with one car garage/parking space	*10 feet*	*12 feet*
Single or two-family dwelling with two car garage/parking space	*12 feet*	*24 feet*
Single or two-family dwelling with three or more car garages/parking space	*18 feet*	*30 feet*
Nonresidential or multi-family residential driveway access	*15 feet*	*40 feet*

The driveway width abutting the street pavement may be extended three feet on either side of the driveway to accommodate turn movements. Driveways may be widened onsite in locations other than where the driveway meets sidewalk or property line (for example between the property line and the entrance to a garage).
Figure 12.04.025: Example Driveway Curb Cut
Finding: Complies with Condition. One new driveway access point is proposed. The width is acceptable as shown in the application. In the event the width needs to change, All driveways (curb cuts), new and existing, shall meet the minimum and maximum driveway width standards identified in Table 16.12.035.D. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

C. The decision maker shall be authorized through a Type II process, unless another procedure applicable to the proposal applies, to minimize the number and size of curb cuts (including driveways) as far as practicable for any of the following purposes:
1. To provide adequate space for on-street parking;
2. To facilitate street tree planting requirements;
3. To assure pedestrian and vehicular safety by limiting vehicular access points; and
4. To assure that adequate sight distance requirements are met.
a. Where the decision maker determines any of these situations exist or may occur due to the approval of a proposed development for non-residential uses or attached or multi-family housing, a shared driveway shall be required and limited to twenty-four feet in width adjacent to the sidewalk or property line and may extend to a maximum of thirty feet abutting the street pavement to facilitate turning movements.
b. Where the decision maker determines any of these situations exist or may occur due to approval of a proposed development for detached housing within the "R-5" Single-Family Dwelling District or "R-3.5" Dwelling District, driveway curb cuts shall be limited to twelve feet in width adjacent to the sidewalk or property line and may extend to a maximum of eighteen feet abutting the street pavement to facilitate turning movements.
Finding: Complies as Proposed. The access location meets the minimum number of curb cuts allowed for the site. It will allow for street tree planting and adequate safety and site distance. The location should remain directly across from the existing access into the main parking lot.

D. For all driveways, the following standards apply.
1. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard surface for at least ten feet and preferably twenty feet back into the lot as measured from the current edge of street pavement to provide for controlling gravel tracking onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the city engineer.
2. Driving vehicles, trailers, boats, or other wheeled objects across a sidewalk or roadside planter strip at a location other than an approved permanent or city-approved temporary driveway approach is prohibited. Damages caused by such action shall be corrected by the adjoining property owner.
3. Placing soil, gravel, wood, or other material in the gutter or space next to the curb of a public street with the intention of using it as a permanent or temporary driveway is prohibited. Damages caused by such action shall be corrected by the adjoining property owner.
4. Any driveway built within public street or alley right-of-way shall be built and permitted per city requirements as approved by the city engineer.
Finding: Complies with Condition. The driveway as proposed is acceptable. All driveways, proposed and existing, shall be made ADA compliant. The development shall comply with all current Oregon City Public Works design standards, specifications, codes, and policies. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

E. Exceptions. The public works director reserves the right to waive this standard, if it is determined through a Type II decision including written findings that it is in the best interest of the public to do so.
Finding: Not applicable. No exceptions have been requested.

12.04.032 - *Required sidewalk repair.*
A. When the public works director determines that repair of a sidewalk is necessary he or she shall issue a notice to the owner of property adjacent to the sidewalk.
B. The notice shall require the owner of the property adjacent to the defective sidewalk to complete the repair of the sidewalk within ninety days after the service of notice. The notice shall also state that if the repair is not made by the owner, the city may do the work and the cost of the work shall be assessed against the property adjacent to the sidewalk.
C. The public works director shall cause a copy of the notice to be served personally upon the owner of the property adjacent to the defective sidewalk, or the notice may be served by registered or certified mail, return receipt requested. If after diligent search the owner is not discovered, the public works director shall cause a copy of the notice to be posted in a conspicuous place on the property, and such posting shall have the same effect as service of notice by mail or by personal service upon the owner of the property.
D. The person serving the notice shall file with the city recorder a statement stating the time, place and manner of service or notice.
Finding: Not Applicable. No sidewalk is being repaired.

12.04.050 - *Retaining walls—Required.*
Every owner of a lot within the city, abutting upon an improved street, where the surface of the lot or tract of land is above the surface of the improved street and where the soil or earth from the lot, or tract of land is liable to, or does slide or fall into the street or upon the sidewalk, or both, shall build a retaining wall, the outer side of which shall be on the line separating the lot, or tract of land from the improved street, and the wall shall be so constructed as to prevent the soil or earth from the lot or tract of land from falling or sliding into the street or upon the sidewalk, or both, and the owner of any such property shall keep the wall in good repair.
Finding: Not Applicable. No retaining walls are required.

12.04.060 *- Retaining walls—Maintenance.*
When a retaining wall is necessary to keep the earth from falling or sliding onto the sidewalk or into a public street and the property owner or person in charge of that property fails or refuses to build such a wall, such shall be deemed a nuisance. The violation of any provision of this chapter is subject to the code enforcement procedures of Chapters 1.16, 1.20 and 1.24.
Finding: Not Applicable. No retaining walls require maintenance.

12.04.170 *- Street design—Purpose and general provisions.*
All development shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the city's public facility master plan and city design standards and specifications. In reviewing applications for development, the city engineer shall take into consideration any approved development and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated with any development must be reviewed and approved by the city engineer prior to construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.
Finding: Complies with Condition. Public Works has many policies and design standards that should be adhered to. The applicant shall provide construction plans, stamped and signed by a professional

engineer licensed in the State of Oregon, containing street, grading, stormwater, sanitary sewer and water infrastructure improvements that conforms to all current Oregon City Public Works standards, specifications, codes, and policies for review and approval by the City. The property owner shall sign a Restrictive Covenant Non-Remonstrance Agreement for the purpose of making storm sewer, sanitary sewer, water or street improvements in the future that benefit the property. The applicant shall pay all fees associated with processing and recording the Non-Remonstrance Agreement. The development's contractor(s) and engineer(s) shall attend a pre-construction meeting with Oregon City staff prior to beginning construction work associated with the project. As-builts conforming to City standards shall be provided within 90 days of completion of the public improvements. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

12.04.175 *- Street design—Generally.*
The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, overlay districts, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. The arrangement of streets shall either:
A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;
B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. Access control in accordance with [Chapter] 12.04 shall be required to preserve the objectives of street extensions.
Finding: Complies with Condition. The street widening, curb, and sidewalk as proposed is acceptable. A number of design standards are required. The location, widths, and grades of the proposed street system provides for the continuation or appropriate projection of existing principal streets in the surrounding area and gives access for future development of adjoining land. The development has provided a convenient street system for the safety of all modes of travel, including pedestrian and bicycle to, from, and through the subject site. Although the veterinary clinic property is also part of this project, all proposed construction will take place on the vacant lot across Warner Street from the veterinary clinic. Due to the area of proposed development and consideration for proportionality between improvement requirements and impacts of the proposed development, improvements on the veterinary clinic's frontage are not required as part of this application. Half Street Improvements to Warner Street shall consist of a pavement to achieve 18 feet of pavement from centerline to face of curb, a 0.5' curb, 5 foot sidewalk and 0.5' behind the sidewalk. The applicant shall provide a 10-foot-wide public utility easement along all property lines fronting existing or proposed right-of-way. The applicant shall make all necessary arrangements with utility companies to ensure underground lines are not placed within the roadway. The applicant shall ensure existing street lights along Warner Street are in conformance with all City standards, specifications, codes, and policies and as approved by Portland General Electric (PGE). The applicant shall submit a photometric plan for verification. If standards are not met, new street lights shall be proposed. The engineering plans shall provide a local benchmark onsite using the NAVD88 datum. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

12.04.180 *- Street design.*

All development regulated by this chapter shall provide street improvements in compliance with the standards in Figure 12.04.180 depending on the street classification set forth in the Transportation System Plan and the Comprehensive Plan designation of the adjacent property, unless an alternative plan has been adopted. The standards provided below are maximum design standards and may be reduced with an alternative street design which may be approved based on the modification criteria in [Section] 12.04.007. The steps for reducing the maximum design below are found in the Transportation System Plan.

Table 12.04.180 Street Design

To read the table below, select the road classification as identified in the Transportation System Plan and the Comprehensive Plan designation of the adjacent properties to find the maximum design standards for the road cross section. If the Comprehensive Plan designation on either side of the street differs, the wider right-of-way standard shall apply.

Road Classification	*Comprehensive Plan Designation*	*Right-of-Way Width*	*Pavement Width*	*Public Access*	*Sidewalk*	*Landscape Strip*	*Bike Lane*	*Street Parking*	*Travel Lanes*	*Median*
Collector	*Mixed Use, Commercial or Public/Quasi Public*	*86 ft.*	*64 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*6 ft.*	*8 ft.*	*(3) 12 ft. Lanes*	*N/A*
	Residential	*85 ft.*	*59 ft.*	*0.5 ft.*	*5 ft.*	*7.5 ft.*	*6 ft.*	*7 ft.*	*(3) 11 ft. Lanes*	*N/A*

Road Classification	*Comprehensive Plan Designation*	*Right-of-Way Width*	*Pavement Width*	*Public Access*	*Sidewalk*	*Landscape Strip*	*Bike Lane*	*Street Parking*	*Travel Lanes*	*Median*
Local	*Mixed Use, Commercial or Public/Quasi Public*	*62 ft.*	*40 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*N/A*	*8 ft.*	*(2) 12 ft. Lanes*	*N/A*
	Residential	*54 ft.*	*32 ft.*	*0.5 ft.*	*5 ft.*	*5.5 ft.*	*(2) 16 ft. Shared Space*			*N/A*

1. Pavement width includes, bike lane, street parking, travel lanes and median.

2. Public access, sidewalks, landscape strips, bike lanes and on-street parking are required on both sides of the street in all designations. The right-of-way width and pavement widths identified above include the total street section.
3. A 0.5 foot curb is included in landscape strip or sidewalk width.
4. Travel lanes may be through lanes or turn lanes.
5. The 0.5 foot public access provides access to adjacent public improvements.
6. Alleys shall have a minimum right-of-way width of twenty feet and a minimum pavement width of sixteen feet. If alleys are provided, garage access shall be provided from the alley.
Finding: Complies with Condition. The submitted plan appears to address the requirements of the section. The location, widths, and grades of the proposed street system provides for the continuation or appropriate projection of existing principal streets in the surrounding area and gives access for future development of adjoining land. The development has provided a convenient street system for the safety of all modes of travel, including pedestrian and bicycle to, from, and through the subject site. Although the veterinary clinic property is also part of this project, all proposed construction will take place on the vacant lot across Warner Street from the veterinary clinic. Due to the area of proposed development and consideration for proportionality between improvement requirements and impacts of the proposed development, improvements on the veterinary clinic's frontage are not required as part of this application. Half Street Improvements to on the southern side of Warner Street shall consist of a pavement to achieve 18 feet of pavement from centerline to face of curb, a 0.5' curb, 5 foot sidewalk and 0.5' behind the sidewalk. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

12.04.185 *- Street design—Access control.*
A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the city as a city controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property.
B. The city may grant a permit for the adjoining owner to access through the access control.
C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."
D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."
Finding: Complies as Proposed. The one access point as proposed meets the standards.

12.04.190 *- Street design—Alignment.*
The centerline of streets shall be:
A. Aligned with existing streets by continuation of the centerlines; or
B. Offset from the centerline by no more than five (5) feet, provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the offset intersection will not pose a safety hazard.
Finding: Complies as Proposed. The new access to the new parking lot aligns with the existing access to the existing parking lot and is acceptable as proposed.

12.04.194 *- Traffic sight obstructions.*
All new streets shall comply with the Traffic Sight Obstructions in Chapter 10.32.
Finding: Not Applicable. No new streets are proposed.

12.04.195 *- Spacing standards.*
A. All new streets shall be designed as local streets unless otherwise designated as arterials and collectors in Figure 8 in the transportation system plan. The maximum block spacing between streets is five hundred thirty feet and the minimum block spacing between streets is one hundred fifty feet as measured between the right-of-way centerlines. If the maximum block size is exceeded, pedestrian accessways must be provided every three hundred thirty feet. The spacing standards within this section do not apply to alleys.
B. All new development and redevelopment shall meet the minimum driveway spacing standards identified in Table 12.04.195.B.

Table 12.04.195.B Minimum Driveway Spacing Standards		
Street Functional Classification	*Minimum Driveway Spacing Standards*	*Distance*
Major Arterial Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*175 ft.*
Minor Arterial Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*175 ft.*
Collector Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*100 ft.*
Local Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*25 ft.*

The distance from a street corner to a driveway is measured along the right-of-way from the edge of the intersection right-of-way to the nearest portion of the driveway and the distance between driveways is measured at the nearest portions of the driveway at the right-of-way.
Finding: Complies as Proposed. The one access point as proposed meets the standards.

12.04.205 *- Mobility standards.*
Development shall demonstrate compliance with intersection mobility standards. When evaluating the performance of the transportation system, the City of Oregon City requires all intersections, except for the facilities identified in subsection D below, to be maintained at or below the following mobility standards during the two-hour peak operating conditions. The first hour has the highest weekday traffic volumes and the second hour is the next highest hour before or after the first hour. Except as provided otherwise below, this may require the installation of mobility improvements as set forth in the transportation system plan or as otherwise identified by the city transportation engineer.
A. For intersections within the regional center, the following mobility standards apply:
1. During the first hour, a maximum v/c ratio of 1.10 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.

2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
3. Intersections located on the Regional Center boundary shall be considered within the Regional Center.
B. For intersections outside of the Regional Center but designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:
1. During the first hour, a maximum v/c ratio of 0.99 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
C. For intersections outside the boundaries of the Regional Center and not designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:
1. For signalized intersections:
a. During the first hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.
b. During the second hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.
2. For unsignalized intersections outside of the boundaries of the Regional Center:
a. For unsignalized intersections, during the peak hour, all movements serving more than twenty vehicles shall be maintained at LOS "E" or better. LOS "F" will be tolerated at movements serving no more than twenty vehicles during the peak hour.
D. Until the city adopts new performance measures that identify alternative mobility targets, the city shall exempt proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, from compliance with the above-referenced mobility standards for the following state-owned facilities:
I-205/OR 99E Interchange
I-205/OR 213 Interchange
OR 213/Beavercreek Road
State intersections located within or on the Regional Center Boundaries
1. In the case of conceptual development approval for a master plan that impacts the above references intersections:
a. The form of mitigation will be determined at the time of the detailed development plan review for subsequent phases utilizing the Code in place at the time the detailed development plan is submitted; and
b. Only those trips approved by a detailed development plan review are vested.
2. Development which does not comply with the mobility standards for the intersections identified in [Section] 12.04.205.D shall provide for the improvements identified in the Transportation System Plan (TSP) in an effort to improve intersection mobility as necessary to offset the impact caused by development. Where required by other provisions of the Code, the applicant shall provide a traffic impact study that includes an assessment of the development's impact on the intersections identified in this exemption and shall construct the intersection improvements listed in the TSP or required by the Code.
Finding: Not Applicable. No intersections are affected by this development.

12.04.210 *- Street design—Intersection angles.*
Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the city engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point.
Finding: Not Applicable. No new streets are proposed.

12.04.215 *- Street design—Off-site street improvements.*
During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the city's applicable planned minimum design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.
Finding: Complies with Condition. The submitted plan appears to address the requirements of the section. The location, widths, and grades of the proposed street system provides for the continuation or appropriate projection of existing principal streets in the surrounding area and gives access for future development of adjoining land. The development has provided a convenient street system for the safety of all modes of travel, including pedestrian and bicycle to, from, and through the subject site. Although the veterinary clinic property is also part of this project, all proposed construction will take place on the vacant lot across Warner Street from the veterinary clinic. Due to the area of proposed development and consideration for proportionality between improvement requirements and impacts of the proposed development, improvements on the veterinary clinic's frontage are not required as part of this application. Half Street Improvements to Warner Street shall consist of a pavement to achieve 18 feet of pavement from centerline to face of curb, a 0.5' curb, 5 foot sidewalk and 0.5' behind the sidewalk. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

12.04.220 - *Street design—Half street.*
Half streets, while generally not acceptable, may be approved where essential to the development, when in conformance with all other applicable requirements, and where it will not create a safety hazard. When approving half streets, the decision maker must first determine that it will be practical to require the dedication of the other half of the street when the adjoining property is divided or developed. Where the decision maker approves a half street, the applicant must construct an additional ten feet of pavement width so as to make the half street safe and usable until such time as the other half is constructed. Whenever a half street is adjacent to property capable of being divided or developed, the other half of the street shall be provided and improved when that adjacent property divides or develops. Access control may be required to preserve the objectives of half streets.
When the remainder of an existing half-street improvement is made it shall include the following items: dedication of required right-of-way, construction of the remaining portion of the street including pavement, curb and gutter, landscape strip, sidewalk, street trees, lighting and other improvements as required for that particular street. It shall also include at a minimum the pavement replacement to the centerline of the street. Any damage to the existing street shall be repaired in accordance with the city's "Moratorium Pavement Cut Standard" or as approved by the city engineer.

Finding: Complies with Condition. Numerous pavement cuts are proposed. All pavement cuts and restoration shall comply with the City of Oregon City Pavement Cut Standards. Pavement cuts and restoration for Warner Street shall be to T-cut Standard in accordance with the City of Oregon City Pavement Cut Standards. The submitted plan appears to address the requirements of the section. The location, widths, and grades of the proposed street system provides for the continuation or appropriate projection of existing principal streets in the surrounding area and gives access for future development of adjoining land. The development has provided a convenient street system for the safety of all modes of travel, including pedestrian and bicycle to, from, and through the subject site. Half Street Improvements to Warner Street shall consist of a pavement to achieve 18 feet of pavement from centerline to face of curb, a 0.5' curb, 5 foot sidewalk and 0.5' behind the sidewalk. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

12.04.225 - *Street design—Cul-de-sacs and dead-end streets.*
The city discourages the use of cul-de-sacs and permanent dead-end streets except where construction of a through street is found by the decision maker to be impracticable due to topography or some significant physical constraint such as geologic hazards, wetland, natural or historic resource areas, dedicated open space, existing development patterns, arterial access restrictions or similar situation as determined by the community development director. When permitted, access from new cul-de-sacs and permanent dead-end streets shall be limited to a maximum of twenty-five dwelling units and a maximum street length of two hundred feet, as measured from the right-of-way line of the nearest intersecting street to the back of the cul-de-sac curb face. In addition, cul-de-sacs and dead end roads shall include pedestrian/bicycle accessways as required in this chapter. This section is not intended to preclude the use of curvilinear eyebrow widening of a street where needed.
Where approved, cul-de-sacs shall have sufficient radius to provide adequate turn-around for emergency vehicles in accordance with fire district and city adopted street standards. Permanent dead-end streets other than cul-de-sacs shall provide public street right-of-way/easements sufficient to provide turn-around space with appropriate no-parking signs or markings for waste disposal, sweepers, and other long vehicles in the form of a hammerhead or other design to be approved by the decision maker. Driveways shall be encouraged off the turnaround to provide for additional on-street parking space.
Finding: Not Applicable. No cul-de-sacs or dead end streets are proposed.

12.04.230 *- Street design—Street names.*
Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names shall conform to the established standards in the city and shall be subject to the approval of the city.
Finding: Not Applicable. No new streets are proposed.

12.04.235 *- Street design—Grades and curves.*
Grades and center line radii shall conform to the standards in the city's street design standards and specifications.
Finding: Not Applicable. No new streets are proposed.

12.04.240 *- Street design—Development abutting arterial or collector street.*
Where development abuts or contains an existing or proposed arterial or collector street, the decision maker may require: access control; screen planting or wall contained in an easement or otherwise protected by a restrictive covenant in a form acceptable to the decision maker along the rear or side property line; or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic. Reverse frontage lots with suitable depth may also be considered an option for residential property that has arterial frontage. Where access for development

abuts and connects for vehicular access to another jurisdiction's facility then authorization by that jurisdiction may be required.
Finding: Not Applicable. No new streets are proposed.

12.04.245 - *Street design—Pedestrian and bicycle safety.*
Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.
All crosswalks shall include a large vegetative or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The decision maker may approve an alternative design that achieves the same standard for constrained sites or where deemed unnecessary by the city engineer.
Finding: Not Applicable. No new streets are proposed.

12.04.255 *- Street design—Alleys.*
Public alleys shall be provided in the following districts R-5, R-3.5, R-2, MUC-1, MUC-2 and NC zones unless other permanent provisions for private access to off-street parking and loading facilities are approved by the decision maker. The corners of alley intersections shall have a radius of not less than ten feet.
Finding: Not Applicable. No new streets are proposed.

12.04.260 *- Street design—Transit.*
Streets shall be designed and laid out in a manner that promotes pedestrian and bicycle circulation. The applicant shall coordinate with transit agencies where the application impacts transit streets as identified in [Section] 17.04.1310. Pedestrian/bicycle access ways shall be provided as necessary in Chapter 12.04 to minimize the travel distance to transit streets and stops and neighborhood activity centers. The decision maker may require provisions, including easements, for transit facilities along transit streets where a need for bus stops, bus pullouts or other transit facilities within or adjacent to the development has been identified.
Finding: Not Applicable. No new streets are proposed.

12.04.265 - *Street design—Planter strips.*
All development shall include vegetative planter strips that are five feet in width or larger and located adjacent to the curb. This requirement may be waived or modified if the decision maker finds it is not practicable. The decision maker may permit constrained sites to place street trees on the abutting private property within ten feet of the public right-of-way if a covenant is recorded on the title of the property identifying the tree as a city street tree which is maintained by the property owner. Development proposed along a collector, minor arterial, or major arterial street may use tree wells with root barriers located near the curb within a wider sidewalk in lieu of a planter strip, in which case each tree shall have a protected area to ensure proper root growth and reduce potential damage to sidewalks, curbs and gutters.
To promote and maintain the community tree canopy adjacent to public streets, trees shall be selected and planted in planter strips in accordance with Chapter 12.08, Street Trees. Individual abutting lot owners shall be legally responsible for maintaining healthy and attractive trees and vegetation in the planter strip. If a homeowners' association is created as part of the development, the association may assume the maintenance obligation through a legally binding mechanism, e.g., deed restrictions, maintenance agreement, etc., which shall be reviewed and approved by the city attorney. Failure to properly maintain trees and vegetation in a planter strip shall be a violation of this code and enforceable as a civil infraction.

Finding: Complies as Proposed. The planter strip proposed on sheet C2.0 of the plans shall be provided with the final engineering plans.

12.04.270 - *Standard construction specifications.*
The workmanship and materials for any work performed under permits issued per this chapter shall be in accordance with the edition of the "Oregon Standard Specifications for Construction" as prepared by the Oregon Department of Transportation (ODOT) and the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city in accordance with this ordinance, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Street Design Drawings provide other design details, in which case the requirements of this chapter and the Public Works Street Design Drawings shall be complied with. In the case of work within ODOT or Clackamas County rights-of-way, work shall be in conformance with their respective construction standards.
Finding: Complies with Condition. The development shall comply with all current Oregon City Public Works design standards, specifications, codes, and policies. The workmanship and materials for any work performed under permits issued by Oregon City Public Works shall be in accordance with the edition of the "Oregon Standard Specifications for Construction" as prepared by the Oregon Department of Transportation (ODOT) and the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Chapter 12.08 - PUBLIC AND STREET TREES[2]

12.08.015 - Street tree planting and maintenance requirements.
All new construction or major redevelopment shall provide street trees adjacent to all street frontages. Species of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List or be approved by a certified arborist. If a setback sidewalk has already been constructed or the Development Services determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed within the front yard setback, exclusive of any utility easement.
Finding: Complies as Proposed. The applicant submitted a street tree plan which included trees placed in a planter strip along the frontages of the development.

A. One street tree shall be planted for every thirty-five feet of property frontage. The tree spacing shall be evenly distributed throughout the total development frontage. The community development director may approve an alternative street tree plan if site or other constraints prevent meeting the placement of one street tree per thirty-five feet of property frontage.
Finding: Complies as Proposed. The subject site includes 107 feet of frontage, requiring 3 street trees (107/35 = 3.057). The applicant has proposed three street trees along the property's frontage. Although the veterinary clinic property is also part of this project, all proposed construction will take place on the vacant lot across Warner Street from the veterinary clinic. Due to the area of proposed development and consideration for proportionality between improvement requirements and impacts of the proposed development, improvements on the veterinary clinic's frontage, including street trees, are not required as part of this application.

B. The following clearance distances shall be maintained when planting trees:
1. Fifteen feet from streetlights;
2. Five feet from fire hydrants;

3. Twenty feet from intersections;
4. A minimum of five feet (at mature height) below power lines.
Finding: Complies as Proposed. The applicant submitted a street tree plan with preliminary locations of street trees which demonstrates compliance with clearance requirements within this section.

C. All trees shall be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications.
Finding: Complies as Proposed. The applicant's landscaping plan identified that all proposed trees will be a minimum of two inches in caliper.

D. All established trees shall be pruned tight to the trunk to a height that provides adequate clearance for street cleaning equipment and ensures ADA complaint clearance for pedestrians.
Finding: Complies as Proposed. The applicant's narrative identified that the owner will be responsible for maintenance, pruning, and trimming of street trees and will comply with clearance requirements within this section.

12.08.020 - Street tree species selection.
The community development director may specify the species of street trees required to be planted if there is an established planting scheme adjacent to a lot frontage, if there are obstructions in the planting strip, or if overhead power lines are present.
Finding: Complies as Proposed. There is no established street tree scheme along the property's frontage. The proposed street trees are Pink Flair Cherries which are on the Oregon City Adopted Street Tree List.

12.08.025 - General tree maintenance.
Abutting property owners shall be responsible for the maintenance of street trees and planting strips. Topping of trees is permitted only under recommendation of a certified arborist, or other qualified professional, if required by city staff. Trees shall be trimmed appropriately. Maintenance shall include trimming to remove dead branches, dangerous limbs and to maintain a minimum seven-foot clearance above all sidewalks and ten-foot clearance above the street. Planter strips shall be kept clear of weeds, obstructing vegetation and trash.
Finding: Complies as Proposed. The applicant's narrative identified that the owner will be responsible for maintenance of street trees in accordance with this section.

12.08.035 - Public tree removal.
Existing street trees shall be retained and protected during construction unless removal is specified as part of a land use approval or in conjunction with a public facilities construction project, as approved by the community development director. A diseased or hazardous street tree, as determined by a registered arborist and verified by the City, may be removed if replaced. A non-diseased, non-hazardous street tree that is removed shall be replaced in accordance with the Table 12.08.035.
All new street trees will have a minimum two-inch caliper trunk measured six inches above the root crown. The community development director may approve off-site installation of replacement trees where necessary due to planting constraints. The community development director may additionally allow a fee in-lieu of planting the tree(s) to be placed into a city fund dedicated to planting trees in Oregon City in accordance with Oregon City Municipal Code 12.08.
Table 12.08.035

Replacement Schedule for Trees Determined to be Dead, Diseased or Hazardous by a Certified Arborist	*Replacement Schedule for Trees Not Determined to be Dead, Diseased or Hazardous by a Certified Arborist*

Diameter of tree to be Removed (Inches of diameter at 4-ft height)	*Number of Replacement Trees to be Planted*	*Diameter of tree to be Removed (Inches of diameter at 4-ft height)*	*Number of Replacement Trees to be Planted*
Any Diameter	*1 Tree*	*Less than 6"*	*1 Tree*
		6" to 12"	*2 Trees*
		13" to 18"	*3 Trees*
		19" to 24"	*4 Trees*
		25" to 30"	*5 Trees*
		31" and over	*8 Trees*

Finding: Not Applicable. The applicant has not proposed removal of a public tree.

12.08.040 - Heritage Trees and Groves.

Finding: Not Applicable. The applicant did not propose to designate or remove a heritage tree or grove.

<u>Chapter 13.12 - STORMWATER MANAGEMENT</u>

13.12.050 - Applicability and exemptions.

This chapter establishes performance standards for stormwater conveyance, quantity and quality. Additional performance standards for erosion prevention and sediment control are established in OCMC 17.47.

A. Stormwater Conveyance. The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:

1. The conveyance facilities are located entirely on one privately owned parcel;
2. The conveyance facilities are privately maintained; and
3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits.

Those facilities exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the building official.

Finding: Applicable. The development shall comply with the current version of the Oregon City Stormwater and Grading Design Standards. The applicant shall provide an updated engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items, where applicable, from the Section 9 of the Public Works Stormwater and Grading Design Standards. While the plan proposes pervious asphalt, the applicant will still need to show that all standards are met.

B. Water Quality and Flow Control. The water quality and flow control requirements of this chapter shall apply to the following proposed uses or developments, unless exempted under subsection C:

1. Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment

project. These square footage measurements will be considered cumulative for any given five-year period; or

2. *Activities that create or replace more than five thousand square feet of impervious surface per parcel or lot, cumulated over any given five-year period.*

Finding: Applicable. The development shall comply with the current version of the Oregon City Stormwater and Grading Design Standards. The applicant shall provide an updated engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items, where applicable, from the Section 9 of the Public Works Stormwater and Grading Design Standards. While the plan proposes pervious asphalt, the applicant will still need to show that all standards are met.

C. Exemptions. The following exemptions to subsection B of this section apply:

1. *An exemption to the flow control requirements of this chapter will be granted when the development site discharges to the Willamette River, Clackamas River or Abernethy Creek; and either lies within the one hundred-year floodplain or is up to ten feet above the design flood elevation as defined in Chapter 17.42, provided that the following conditions are met:*
   a. *The project site is drained by a conveyance system that is comprised entirely of manmade elements (e.g. pipes, ditches, culverts outfalls, outfall protection, etc.) and extends to the ordinary high water line of the exempt receiving water; and*
   b. *The conveyance system between the project site and the exempt receiving water has sufficient hydraulic capacity and erosion stabilization measures to convey discharges from the proposed conditions of the project site and the existing conditions from non-project areas from which runoff is collected.*
2. *Projects in the following categories are generally exempt from the water quality and flow control requirements:*
   a. *Stream enhancement or restoration projects approved by the city.*
   b. *Farming practices as defined by ORS 30.960 and farm use as defined in ORS 214.000; except that buildings associated with farm practices and farm use are subject to the requirements of this chapter.*
   c. *Actions by a public utility or any other governmental agency to remove or alleviate an emergency condition.*
   d. *Road and parking area preservation/maintenance projects such as pothole and square cut patching, surface sealing, replacing or overlaying of existing asphalt or concrete pavement, provided the preservation/maintenance activity does not expand the existing area of impervious coverage above the thresholds in subsection B of this section.*
   e. *Pedestrian and bicycle improvements (sidewalks, trails, pathways, and bicycle paths/lands) where no other impervious surfaces are created or replaced, built to direct stormwater runoff to adjacent vegetated areas.*
   f. *Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics.*
   g. *Maintenance or repair of existing utilities.*

Finding: Not Applicable. The proposed development does not meet the criteria for exemption; however, the criteria for stormwater management may not be triggered. The development shall comply with the current version of the Oregon City Stormwater and Grading Design Standards. The applicant shall provide an updated engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items, where applicable, from the Section 9 of the Public Works Stormwater and Grading Design Standards. While the plan proposes pervious asphalt, the applicant will still need to show that all standards are met.

D. Uses Requiring Additional Management Practices. In addition to any other applicable requirements of this chapter, the following uses are subject to additional management practices, as defined in the Public Works Stormwater and Grading Design Standards:

1. *Bulk petroleum storage facilities;*
2. *Above ground storage of liquid materials;*
3. *Solid waste storage areas, containers, and trash compactors for commercial, industrial, or multi-family uses;*
4. *Exterior storage of bulk construction materials;*
5. *Material transfer areas and loading docks;*
6. *Equipment and/or vehicle washing facilities;*
7. *Development on land with suspected or known contamination;*
8. *Covered vehicle parking for commercial or industrial uses;*
9. *Industrial or commercial uses locating in high traffic areas, defined as average daily count trip of two thousand five hundred or more trips per day; and*
10. *Land uses subject to DEQ 1200-Z Industrial Stormwater Permit Requirements.*

Finding: Not Applicable. The proposal does not contain elements requiring additional stormwater management practices.

13.12.080 - Submittal requirements.

A. Applications subject to stormwater conveyance, water quality, and/or flow control requirements of this chapter shall prepare engineered drainage plans, drainage reports, and design flow calculation reports in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards.

B. Each project site, which may be composed of one or more contiguous parcels of land, shall have a separate valid city approved plan and report before proceeding with construction.

Finding: Complies with Condition. The development shall comply with the current version of the Oregon City Stormwater and Grading Design Standards. The applicant shall provide an updated engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items, where applicable, from the Section 9 of the Public Works Stormwater and Grading Design Standards. While the plan proposes pervious asphalt, the applicant will still need to show that all standards are met. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

13.12.090 - Approval criteria for engineered drainage plans and drainage report.

An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:

A. The plan and report demonstrate how the proposed development and stormwater facilities will accomplish the purpose statements of this chapter.

B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under Section 13.12.020.

C. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.

D. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams.

E. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.

Finding: Complies with Condition. The development shall comply with the current version of the Oregon City Stormwater and Grading Design Standards. The applicant shall provide an updated engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and

signed by a licensed engineer addressing all items, where applicable, from the Section 9 of the Public Works Stormwater and Grading Design Standards. While the plan proposes pervious asphalt, the applicant will still need to show that all standards are met. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

13.12.100 - Alternative materials, alternative design and methods of construction.

The provisions of this chapter are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this chapter or the Public Works Stormwater and Grading Design Standards, provided any alternate has been approved and its use authorized by the city engineer. The city engineer may approve any such alternate, provided that the city engineer finds that the proposed design is satisfactory and complies with the intent of this chapter and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed by this chapter in effectiveness, suitability, strength, durability and safety. The city engineer shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the city files.

Finding: Not Applicable. The applicant has not proposed alternative design methods (in the right-of-way) requiring special approval by the City Engineer. However, should the applicant propose such methods with the public facilities construction plan submittal, the proposal will be reviewed and approved by the City Engineer as required.

13.12.120 - Standard construction specifications.

The workmanship and materials shall be in accordance with the edition of the "Standard Specifications for Public Works Construction," as prepared by the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Stormwater and Grading Design Standards provide other design details, in which case the requirements of this chapter and the Public Works Stormwater and Grading Design Standards shall be complied with.

Finding: Complies with Condition. The development shall comply with the current version of the Oregon City Stormwater and Grading Design Standards. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

13.12.140 - Maintenance of public stormwater facilities.

A. A stormwater facility that receives stormwater runoff from a public right-of-way shall be a public facility. Upon expiration of the warranty period and acceptance by the city as described below, the city shall be responsible for maintenance of those public stormwater facilities. Access for maintenance of the stormwater facilities shall be provided to the city through the granting of a stormwater easement or other means acceptable to the city.

B. Responsibility for maintenance of stormwater facilities including all landscaping, irrigation systems, structures and appurtenances shall remain with the property owner/developer for two years (known as the warranty period). The owner/developer shall provide the city a separate two-year landscaping maintenance bond for one hundred ten percent of the landscaping cost. Transfer of maintenance of stormwater conveyance systems shall occur when the city accepts the stormwater conveyance system.

C. The city will perform an inspection of the development's entire publicly maintained stormwater system approximately forty-five days before the two-year warranty period expires. The stormwater system must be found to be in a clean, functional condition by the city engineer before acceptance of maintenance responsibility by the city.

Finding: Not Applicable. No public facilities are proposed.

13.12.145 - Maintenance of private stormwater facilities.

A. An applicant shall submit an operation and maintenance plan for each proposed stormwater facilities, unless exempted in the Public Works Stormwater and Grading Design Standards. The information in the operation and maintenance plan shall satisfy the requirements of the Public Works Stormwater and Grading Design Standards.
B. Private owners are required to inspect and maintain stormwater facilities on their property in accordance with an approved operation and maintenance plan. A maintenance log is required to document facility inspections and specific maintenance activities. The log shall be available to city inspection staff upon request.
C. Failure to operate or maintain a stormwater facility according to the operation and maintenance plan may result in an enforcement action under Section 13.12.150.
Finding: Complies with Condition. The development shall prepare a Stormwater Operations and Maintenance Plan for the porous asphalt pavement parking lot and have it recorded with a Stormwater Access and Maintenance Covenant. The applicant shall execute a "Maintenance Covenant and Access Easement For Privately Owned Stormwater Management Facilities" and pay associated recording fees. The covenant shall include a site plan identifying all privately-owned stormwater management facilities and an operation and maintenance plan for each type of stormwater facility in accordance with the Public Works Stormwater and Grading Design Standards. The Maintenance Covenant and Access Easement shall be reviewed and accepted by the City prior to recording. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

CHAPTER 15.48 - GRADING, FILLING AND EXCAVATING

15.48.030 *Applicability—Grading permit required.*
A. A city-issued grading permit shall be required before the commencement of any of the following filling or grading activities:
1. Grading activities in excess of ten cubic yards of earth;
2. Grading activities which may result in the diversion of existing drainage courses, both natural and man-made, from their natural point of entry or exit from the grading site;
3. Grading and paving activities resulting in the creation of impervious surfaces greater than two thousand square feet or more in area;
4. Any excavation beyond the limits of a basement or footing excavation, having an unsupported soil height greater than five feet after the completion of such a structure; or
5. Grading activities involving the clearing or disturbance of one-half acres (twenty-one thousand seven hundred eighty square feet) or more of land.
Finding: Applicable. The site engineering plans will be used in lieu of a grading plan for approval of the project. A building permit will be issued for all work completed onsite based on the approved engineering plans.

15.48.090 *Submittal requirements.*
An engineered grading plan or an abbreviated grading plan shall be prepared in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards whenever a city approved grading permit is required. In addition, a geotechnical engineering report and/or residential lot grading plan may be required pursuant to the criteria listed below.
A. Abbreviated Grading Plan. The city shall allow the applicant to submit an abbreviated grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards if the following criteria are met:

1. No portion of the proposed site is within the flood management area overlay district pursuant to Chapter 17.42, the unstable soils and hillside constraints overlay district pursuant to Chapter 17.44, or a water quality resource area pursuant to Chapter 17.49; and
2. The proposed filling or grading activity does not involve more than fifty cubic yards of earth.
B. Engineered Grading Plan. The city shall require an engineered grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer if the proposed activities do not qualify for abbreviated grading plan.
C. Geotechnical Engineering Report. The city shall require a geotechnical engineering report in compliance with the minimum report requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer who specializes in geotechnical work when any of the following site conditions may exist in the development area:
1. When any publicly maintained facility (structure, street, pond, utility, park, etc.) will be supported by any engineered fill;
2. When an embankment for a stormwater pond is created by the placement of fill;
3. When, by excavation, the soils remaining in place are greater than three feet high and less than twenty feet wide.
D. Residential Lot Grading Plan. The city shall require a residential lot grading plan in compliance with the minimum report requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer for all land divisions creating new residential building lots or where a public improvement project is required to provide access to an existing residential lot.
Finding: Complies as Proposed. The site engineering plans will be used in lieu of a grading plan for approval of the project. A building permit will be issued for all work completed onsite based on the approved engineering plans.

CHAPTER 17.47 - EROSION AND SEDIMENT CONTROL

17.47.070 Erosion and sediment control plans.
A. An application for an erosion and sediment control permit shall include an erosion and sediment control plan, which contains methods and interim measures to be used during and following construction to prevent or control erosion prepared in compliance with City of Oregon City public works standards for erosion and sediment control. These standards are incorporated herein and made a part of this title and are on file in the office of the city recorder.
Finding: Complies with Condition. The applicant shall obtain an Erosion control permit prior to commencement of any earth disturbing activities. The applicant shall provide an Erosion Prevention and Sedimentation Control Plan prior to issuance of an erosion control permit. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

CHAPTER 17.41 - TREE PROTECTION STANDARDS

17.41.020 - Tree protection—Applicability.
1. Applications for development subject to Chapters 16.08 or 16.12 (Subdivision or Minor Partition) or Chapter 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments.
2. For public capital improvement projects, the city engineer shall demonstrate compliance with these standards pursuant to a Type II process.
3. Tree canopy removal greater than twenty-five percent on sites greater than twenty-five percent slope, unless exempted under Section 17.41.040, shall be subject to these standards.
4. A heritage tree or grove which has been designated pursuant to the procedures ofChapter 12.08.050 shall be subject to the standards of this section.

Finding: Applicable. The proposed development includes a Site Plan and Design Review application, therefore, Chapter 17.41 is applicable.

17.41.030 - Tree protection—Conflicting code provisions.
Except as otherwise specified in this section, where these standards conflict with adopted city development codes or policies, the provision which provides the greater protection for regulated trees or groves, as defined in Section 17.04, shall govern.
Finding: Not Applicable. The trees within the boundaries of the property or associated with the proposed development onsite are regulated under this section of code and do not fall under any other protections within the City's development codes.

17.41.040 - Same—Exemptions.
These regulations are not intended to regulate normal cutting, pruning and maintenance of trees on private property except where trees are located on lots that are undergoing development review or are otherwise protected within the Natural Resource Overlay District (NROD) of section 17.49. These standards are not intended to regulate farm and forest practices as those practices are defined under ORS 30.930. Farm or forest resources. An applicant for development may claim exemption from compliance with these standards if the development site containing the regulated grove or trees was a designated farm or forest use, tree farm, Christmas tree plantation, or other approved timber use within one year prior to development application. "Forest practices" and "forestlands" as used in this subsection shall have the meaning as set out in ORS 30.930. The community development director has the authority to modify or waive compliance in this case.
Finding: Not Applicable. The applicant has not proposed an exemption in accordance with this provision.

17.41.050 - Same—Compliance options.
Applicants for review shall comply with these requirements through one or a combination of the following procedures:
A. Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to Sections 17.41.060 or 17.41.070. All replanted and saved trees shall be protected by a permanent restrictive covenant or easement approved in form by the city.
B. Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to Sections 17.41.080—17.41.100; or
C. Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to Sections 17.41.110—17.41.120; or
D. Option 4—Cash-in-lieu of planting pursuant to Section 17.41.130.
A regulated tree that has been designated for protection pursuant to this section must be retained or permanently protected unless it has been determined by a certified arborist to be diseased or hazardous, pursuant to the following applicable provisions.
The community development director, pursuant to a Type II procedure, may allow a property owner to cut a specific number of trees within a regulated grove if preserving those trees would:
1. Preclude achieving eighty percent of minimum density with reduction of lot size; or
2. Preclude meeting minimum connectivity requirements for subdivisions.
Finding: Complies as Proposed. The applicant has proposed removal of two trees. The applicant provided an arborist letter prepared by Certified Arborist, Justin Keane (ISA #1551) identifying that both trees are in poor health and hazardous and recommending removal of both trees onsite.

17.41.060 - Tree removal and replanting—Mitigation (Option 1).
A. Applicants for development who select this option shall ensure that all healthy trees shall be preserved outside the construction area as defined in Chapter 17.04to the extent practicable. Compliance with

these standards shall be demonstrated in a tree mitigation plan report prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arborculture. At the applicant's expense, the city may require the report to be reviewed by a consulting arborist. The number of replacement trees required on a development site shall be calculated separately from, and in addition to, any public or street trees in the public right-of-way required under section 12.08—Community Forest and Street Trees.
B. The applicant shall determine the number of trees to be mitigated on the site by counting all of the trees six inch DBH (minimum four and one-half feet from the ground) or larger on the entire site and either:
1. Trees that are removed outside of the construction area, shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2; or
2. Diseased or hazardous trees, when the condition is verified by a certified arborist to be consistent with the definition in Section 17.04.1360, may be removed from the tree replacement calculation. Regulated healthy trees that are removed outside of the construction area, shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Regulated healthy trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2.
Table 17.41.060-1
Tree Replacement Requirements
All replacement trees shall be either:
Two-inch caliper deciduous, or
Six-foot high conifer

Size of tree removed (DBH)	*Column 1* *Number of trees to be planted. (If removed Outside of construction area)*	*Column 2* *Number of trees to be planted. (If removed Within the construction area)*
6 to 12"	*3*	*1*
13 to 18"	*6*	*2*
19 to 24"	*9*	*3*
25 to 30"	*12*	*4*
31 and over"	*15*	*5*

Steps for calculating the number of replacement trees:
1. Count all trees measuring six inches DBH (minimum four and one-half feet from the ground) or larger on the entire development site.
2. Designate (in certified arborists report) the condition and size (DBH) of all trees pursuant to accepted industry standards.
3. Document any trees that are currently diseased or hazardous.
4. Subtract the number of diseased or hazardous trees in step 3. from the total number of trees on the development site in step 1. The remaining number is the number of healthy trees on the site. Use this number to determine the number of replacement trees in steps 5. through 8.
5. Define the construction area (as defined in Chapter 17.04).

6. Determine the number and diameter of trees to be removed within the construction area. Based on the size of each tree, use Column 2 to determine the number of replacement trees required.
7. Determine the number and diameter of trees to be removed outside of the construction area. Based on the size of each tree, use Column 1 to determine the number of replacement trees required.
8. Determine the total number of replacement trees from steps 6. and 7.
Finding: Complies as Proposed. The applicant has proposed removal of two trees. The applicant provided an arborist letter prepared by Certified Arborist, Justin Keane (ISA #1551) identifying that both trees are hazardous and in poor health and recommending removal of both trees. In accordance with this section, trees that are dead, diseased, or hazardous do not require mitigation, therefore, no mitigation is required for the trees proposed to be removed.

17.41.070 - Planting area priority for mitigation (Option 1).
Development applications which opt for removal of trees with subsequent replanting pursuant to section 17.41.050A. shall be required to mitigate for tree cutting by complying with the following priority for replanting standards below:
A. First Priority. Replanting on the development site.
B. Second Priority. Off-site replacement tree planting locations. If the community development director determines that it is not practicable to plant the total number of replacement trees on-site, a suitable off-site planting location for the remainder of the trees may be approved that will reasonably satisfy the objectives of this section. Such locations may include either publicly owned or private land and must be approved by the community development director.
Finding: Not Applicable. Mitigation trees are not required because the trees being removed have been deemed hazardous by a certified arborist.

17.41.075 - Alternative mitigation plan.
The community development director may, subject to a Type II procedure, approve an alternative mitigation plan that adequately protects habitat pursuant to the standards for the natural resource overlay district alternative mitigation plan, Section 17.49.190.
Finding: Not Applicable. The applicant has not proposed an alternative mitigation plan in accordance with this section.

17.41.080 - Tree preservation within subdivisions and partitions—Dedicated tract (Option 2).
A. Applicants for new subdivision and partition plats may delineate and show the regulated trees or groves as either a separate tract or part of a larger tract that meets the requirements of subsection D. of this section.
B. The standards for land divisions subject to this section shall apply in addition to the requirements of the city land division ordinance and zoning ordinance, provided that the minimum lot area, minimum average lot width, and minimum average lot depth standards of the base zone may be superseded in order to allow for a reduction of dimensional standards pursuant to Section 17.41100 below.
C. Prior to preliminary plat approval, the regulated tree or grove area shall be shown either as a separate tract or part of a larger tract that meets the requirements of subsection D. of this section, which shall not be a part of any parcel used for construction of a structure. The size of the tract shall be the minimum necessary as recommended by a consulting arborist to adequately encompass the dripline of the tree, protect the critical root zone and ensure long term survival of the tree or grove.
D. Prior to final plat approval, ownership of the regulated tree or grove tract shall be identified to distinguish it from lots intended for sale. The tract may be identified as any one of the following:
1. Private open space held by the owner or a homeowners association; or
2. For residential land divisions, private open space subject to an easement conveying stormwater and surface water management rights to the city and preventing the owner of the tract from activities and uses inconsistent with the purpose of this document; or

3. At the owners option, public open space where the tract has been dedicated to the city or other governmental unit; or
4. Any other ownership proposed by the owner and approved by the community development director.
Finding: Not Applicable. This mitigation option is only available to subdivision or minor partition applications, therefore, this section is not applicable.

17.41.110 - Tree protection by restrictive covenant (Option 3).
Any regulated tree or grove which cannot be protected in a tract pursuant toSection 17.41.080 above shall be protected with a restrictive covenant in a format to be approved by the community development director. Such covenant shall be recorded against the property deed and shall contain provisions to permanently protect the regulated tree or grove unless such tree or grove, as determined by a certified arborist and approved by the community development director, are determined to be diseased or hazardous.
17.41.120 - Permitted adjustments (Option 3 Only).
A. The community development director, pursuant to a Type II procedure, may grant an adjustment to the side, front and rear yard setback standards by up to 50 percent if necessary to retain a Regulated Tree or Grove through a restrictive covenant pursuant to this section. In no case may the side yard setback be reduce less than three feet. The adjustment shall be the minimum necessary to accomplish preservation of trees on the lot and shall not conflict with other conditions imposed on the property.
B. The community development director, pursuant to a Type II procedure, may grant an adjustment to street standards, pursuant to adopted public works standards, in order to preserve a tree. This may include flexibility to redesign sidewalk and planter strip sizes and locations and allow placement of sidewalks and planter strips in an easement within private lots.
C. The community development director, pursuant to a Type II procedure, may allow other adjustments in order to preserve any healthy tree that cannot be moved due to its size, but will contribute to the landscape character of the area and will not present a foreseeable hazard if retained.
Finding: Not Applicable. Mitigation trees are not required because the trees being removed have been deemed hazardous by a certified arborist.

17.41.1[25] - Cash-in-lieu of planting (tree bank/fund) (Option 4).
The applicant may choose this option in-lieu-of or in addition to Compliance Options 1 through 3. In this case, the community development director may approve the payment of cash-in-lieu into a dedicated fund for the remainder of trees that cannot be replanted in the manner described above.
A. The cash-in-lieu payment per tree shall be as listed on the adopted fee schedule and shall be adjusted annually based on the Consumer Price Index (Index). The price shall include the cost of materials, transportation and planting.
B. The amount of the cash-in-lieu payment into the tree bank shall be calculated as the difference between the value of the total number of trees an applicant is required to plant, including cost of installation and adjusted for Consumer Price Index, minus the value of the trees actually planted. The value of the trees shall be based on the adopted fee schedule.
Finding: Not Applicable. Mitigation trees are not required because the trees being removed have been deemed hazardous by a certified arborist.

17.41.130 - Regulated tree protection procedures during construction.
A. No permit for any grading or construction of public or private improvements may be released prior to verification by the community development director that regulated trees designated for protection or conservation have been protected according to the following standards. No trees designated for removal shall be removed without prior written approval from the community development director.
B. Tree protection shall be as recommended by a qualified arborist or, as a minimum, to include the following protective measures:

1. Except as otherwise determined by the community development director, all required tree protection measures set forth in this section shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and such measures shall be removed only after completion of all construction activity, including necessary landscaping and irrigation installation, and any required plat, tract, conservation easement or restrictive covenant has been recorded.
2. Approved construction fencing, a minimum of four feet tall with steel posts placed no farther than ten feet apart, shall be installed at the edge of the tree protection zone or dripline, whichever is greater. An alternative may be used with the approval of the community development director.
3. Approved signs shall be attached to the fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the community development director.
4. No construction activity shall occur within the tree protection zone, including, but not limited to; dumping or storage of materials such as building supplies, soil, waste items; nor passage or parking of vehicles or equipment.
5. The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run-off.
6. No excavation, trenching, grading, root pruning or other activity shall occur within the tree protection zone unless directed by an arborist present on site and approved by the community development director.
7. No machinery repair or cleaning shall be performed within ten feet of the dripline of any trees identified for protection.
8. Digging a trench for placement of public or private utilities or other structure within the critical root zone of a tree to be protected is prohibited. Boring under or through the tree protection zone may be permitted if approved by the community development director and pursuant to the approved written recommendations and on-site guidance and supervision of a certified arborist.
9. The city may require that a certified arborist be present during any construction or grading activities that may affect the dripline of trees to be protected.
10. The community development director may impose conditions to avoid disturbance to tree roots from grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist.
C. Changes in soil hydrology due to soil compaction and site drainage within tree protection areas shall be avoided. Drainage and grading plans shall include provision to ensure that drainage of the site does not conflict with the standards of this section. Excessive site run-off shall be directed to appropriate storm drainage facilities and away from trees designated for conservation or protection.
Finding: Complies with Condition. Though the applicant has proposed to remove all trees onsite, there are trees located near the property line of the adjacent properties to the south, west, and east. Prior to issuance of a permit associated with the proposed development, the applicant shall provide a tree protection plan demonstrating compliance with regulated tree protection procedures during construction in OCMC 17.41.030. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

<u>CHAPTER 17.50 - ADMINISTRATION AND PROCEDURES</u>

17.50.030 Summary of the City's Decision-Making Processes.
Finding: Complies as Proposed. The proposed Site Plan and Design Review and Planning Commission Parking Adjustment application is being reviewed pursuant with the Type III process. Notice was posted

onsite, online, mailed to property owners within 300 feet of the proposed development, and posted in the paper.

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.
Finding: Complies as Proposed. The applicant held a pre-application conference (file PA 18-44) on December 19, 2018. The land use application was submitted within six months of the pre-application conference on April 30, 2019. The application was deemed incomplete on May 23, 2019, and after the submittal of additional information on July 30, 2019, the application was deemed complete on August 15, 2019.

17.50.055 Neighborhood Association Meeting
Finding: Complies as Proposed. The applicant attended the Barclay Hills Neighborhood Association general membership meeting on March 12, 2019 to present the proposed project.

17.50.060 Application Requirements.
Finding: Complies as Proposed. All application materials required are submitted with this narrative. The applicant has provided full-size and two reduced size sets of plans to accompany the submittal items.

17.50.070 Completeness Review and 120-day Rule.
Finding: Complies as Proposed. This land use application was submitted on April 30, 2019. The application was deemed incomplete on May 23, 2019, and after the submittal of additional information on July 30, 2019, the application was deemed complete on August 15, 2019. The City has until December 13, 2019 to make a final determination, however, the applicant has provided a 34-day extension to the 120-day deadline extending the timeline until January 16, 2020.

17.50.080 Complete Application--Required Information.
Finding: Complies as Proposed. This land use application was submitted on April 30, 2019. The application was deemed incomplete on May 23, 2019, and after the submittal of additional information, the application was deemed complete on August 15, 2019.

17.50.090 Public Notices.

Finding: Complies as Proposed. Staff provided public notice within 300' of the site via mail, the site was posted with multiple Land Use Notices, posted on the Oregon City website and in a general circulation newspaper. Staff provided email transmittal or the application and notice to affected agencies, the Natural Resource Committee and to all Neighborhood Associations requesting comment.

17.50.100 Notice Posting Requirements.

Finding: Complies as Proposed. The site was posted with a sign longer than the minimum requirement.

17.50.140 - Performance guarantees.

When conditions of permit approval require a permitee to construct certain improvements, the city may, in its discretion, allow the permitee to submit a performance guarantee in lieu of actual construction of the improvement. Performance guarantees shall be governed by this section.

A. Form of Guarantee. Performance guarantees shall be in a form approved by the city attorney approvable methods of performance 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. Timing of Guarantee. A permittee shall be required to provide a performance guarantee as follows.

1. After Final Approved Design by The City: A permitee 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 remaining 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: A permitee 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. This scenario applies for a fee-in-lieu situation to ensure adequate funds for the future work involved in design, bid, contracting, and construction management and contract closeout. In this case, the fee-in-lieu must be submitted as cash, certified check, or other negotiable instrument as approved to form by the city attorney.

C. Duration of the 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.

Finding: Complies with Condition. This development is required to provide public improvements. All developments with public improvements require performance and maintenance guarantees. The applicant shall provide a performance guarantee which is equal to 120% of the estimated cost to construct all public improvements shown in a city approved construction plan submitted by the applicant's engineer. The estimated costs shall be supported by a verified engineering estimate and approved by the city engineer. The guarantee shall be in a form identified in Code 17.50.140.A of the Oregon City Municipal Code. The guarantee shall remain in effect until the construction of all required improvements are completed and accepted by the city. The applicant shall provide a Maintenance Guarantee in the amount of fifteen percent of the cost to construct all public improvements as shown in a city approved construction plan submitted by the applicant's engineer. The estimated costs shall be supported by a verified engineering estimate approved by the City Engineer. The guarantee shall be in a form identified in Code 17.50.140.A of the Oregon City Municipal Code. The guarantee shall warrant to the City of Oregon City that construction of public improvements will remain, for a period of twenty-four (24) months from the date of acceptance, free from defects in materials and workmanship. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

CHAPTER 17.54.100 - FENCES

Finding: Not Applicable. The applicant indicated that no fences or walls are proposed with this development.

CHAPTER 17.58 LAWFUL NONCONFORMING USES, STRUCTURES AND LOTS

17.58.015 Applicability.

The regulations of this chapter apply only to those nonconforming situations that were lawfully established or that were approved through a land use decision. All nonconforming structures, uses or lots shall have been maintained over time. These situations have lawful nonconforming status. Nonconforming situations that were not allowed when established or have not been maintained over time have no lawful right to continue.

Finding: Applicable. The subject site is non-conforming with various criteria of the Oregon City Municipal Code, including siting of the building, building orientation, landscaping, and parking lot design, therefore, this chapter is applicable.

A structure that was lawfully established but no longer conforms to all development standards of this land use code (such as setbacks) shall be considered a lawful nonconforming structure. Notwithstanding development standard requirements in this Code, minor repairs and routing maintenance of a lawful nonconforming structure are permitted. The continuation of a lawful nonconforming structure is subject to the following:

A. Accidental Destruction. When a nonconforming structure is damaged by fire or other causes, the structure may be rebuilt using the same structure footprint.

B. Intentional Destruction. When a nonconforming structure is removed or intentionally damaged by fire or other causes within the control of the owner, the replacement structure shall comply with the development standards of this title.

C. Expansion. An expansion of a lawful nonconforming structure may be approved, conditionally approved or denied in accordance with the standards and procedures of this section.

1. In making a determination on such applications, the decision maker shall weigh the proposal's positive and negative features and the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed, and, to approve such expansion, it must be found that the criteria identified in Section 17.58.060have either been met, can be met by observance of conditions, or are not applicable.

2. An expansion of a nonconforming structure with alterations that exceed the threshold of subparagraph C.2.a. below shall comply with the development standards listed in subparagraph C.2.b. The value of the alterations and improvements is based on the entire project and not individual building permits.

a. Thresholds triggering compliance. The standards of subparagraph C.2.b. below shall be met when the value of the proposed exterior alterations or additions to the site, as determined by the community development director, is more then seventy-five thousand dollars. The following alterations and improvements shall not be included in the threshold calculation:

1. Proposed alterations to meet approved fire and life safety agreements;

2. Alterations related to the removal of existing architectural barriers, as required by the Americans with Disabilities Act, or as specified in Section 1113 of the Oregon Structural Specialty Code;

3. Alterations required to meet Seismic Design Requirements; and

4. Improvements to on-site stormwater management facilities in conformance with Oregon City Stormwater Design Standards.

b. Standards that shall be met. Developments not complying with the development standards listed below shall be brought into conformance.

1. Pedestrian circulation systems, as set out in the pedestrian standards that apply to the sites;

2. Minimum perimeter parking lot landscaping;

3. Minimum interior parking lot landscaping;

4. Minimum site landscaping requirements;

5. Bicycle parking by upgrading existing racks and providing additional spaces in order to comply with Chapter 17.52—Off-Street Parking and Loading;

6. Screening; and

7. Paving of surface parking and exterior storage and display areas.

c. Area of required improvements.

1. Generally. Except as provided in C.2.c.2. below, required improvements shall be made for the entire site.

2. Exception for sites with ground leases. Required improvements may be limited to a smaller area if there is a ground lease for the portion of the site where the alterations are proposed. If all of the following are met, the area of the ground lease will be considered as a separate site for purposes of required improvements. The applicant shall meet the following:

i. The signed ground lease — or excerpts from the lease document satisfactory to the city attorney — shall be submitted to the community development director. The portions of the lease shall include the following:

•The term of the lease. In all cases, there must be at least one year remaining on the ground lease; and

•A legal description of the boundaries of the lease.

ii. The boundaries of the ground lease shall be shown on the site plan submitted with the application. The area of the lease shall include all existing and any proposed development that is required for, or is used exclusively by, those uses within the area of the lease; and

iii. Screening shall not be required along the boundaries of ground leases that are interior to the site.

d. Timing and cost of required improvements. The applicant may choose one of the two following options for making the required improvements:

1. Option 1. Required improvements may be made as part of the alteration that triggers the required improvements. The cost of the standards that shall be met, identified in subparagraph C.2.b. above, is limited to ten percent of the value of the proposed alterations. It is the responsibility of the applicant to document to the community development director the value of the required improvements. Additional costs may be required to comply with other applicable requirements associated with the proposal. When all required improvements are not being made, the priority for the improvements shall be as listed in subparagraph C.2.b. above.

2. Option 2. Required improvements may be made over several years, based on the compliance period identified in Table 17.58—1 below. However, by the end of the compliance period, the site shall be brought fully into compliance with the standards listed in subparagraph C.2.b. Where this option is chosen, the following must be met:

i. Before a building permit is issued, the applicant shall submit the following to the community development director:

•A Nonconforming Development Assessment, which identifies in writing and on a site plan, all development that does not meet the standards listed in Subparagraph C.2.b.

•A covenant, in a form approved by the city attorney, executed by the property owner that meets the requirements of 17.50.150. The covenant shall identify development on the site that does not meet the standards listed in Subparagraph C.2.b., and require the owner to bring that development fully into compliance with this title. The covenant shall also specify the date by which the owner will be in conformance. The date must be within the compliance periods set out in Table17.58 — 1.

ii. The nonconforming development identified in the Nonconforming Development Assessment shall be brought into full compliance with the requirements of this Title within the following compliance periods. The compliance period begins when a building permit is issued for alterations to the site of more than seventy-five thousand dollars. The compliance periods are based on the size of the site (see Table 17.58—1 below).

iii. By the end of the compliance period, the applicant or owner shall request that the site by certified by the community development director as in compliance. If the request is not received within that time, or if the site is not fully in conformance, no additional building permits will be issued.

iv. If the regulations referred to by subparagraph C.2.b. are amended after the Nonconforming Development Assessment is received by the community development director, and those amendments result in development on the site that was not addressed by the Assessment becoming nonconforming, the applicant shall address the new nonconforming development using Option 1 or 2. If the applicant chooses Option 2, a separate Nonconforming Development Assessment, covenant and compliance period will be required for the new nonconforming development.

Table 17.58—1

Compliance Periods for Option 2

Square footage of site	*Compliance Period*
Less than 150,000 sq. ft.	*2 years*
150,000 sq. ft. or more, up to 300,000 sq. ft.	*3 years*
300,000 sq. ft. or more, up to 500,000 sq. ft.	*4 years*
More than 500,000 sq. ft.	*5 years*

Finding: Not Applicable. The parking lot is considered an expansion of a non-conforming structure, however, the applicant indicated that the project cost does not exceed $75,000, therefore, the project is under the threshold for compliance with non-conforming upgrades.

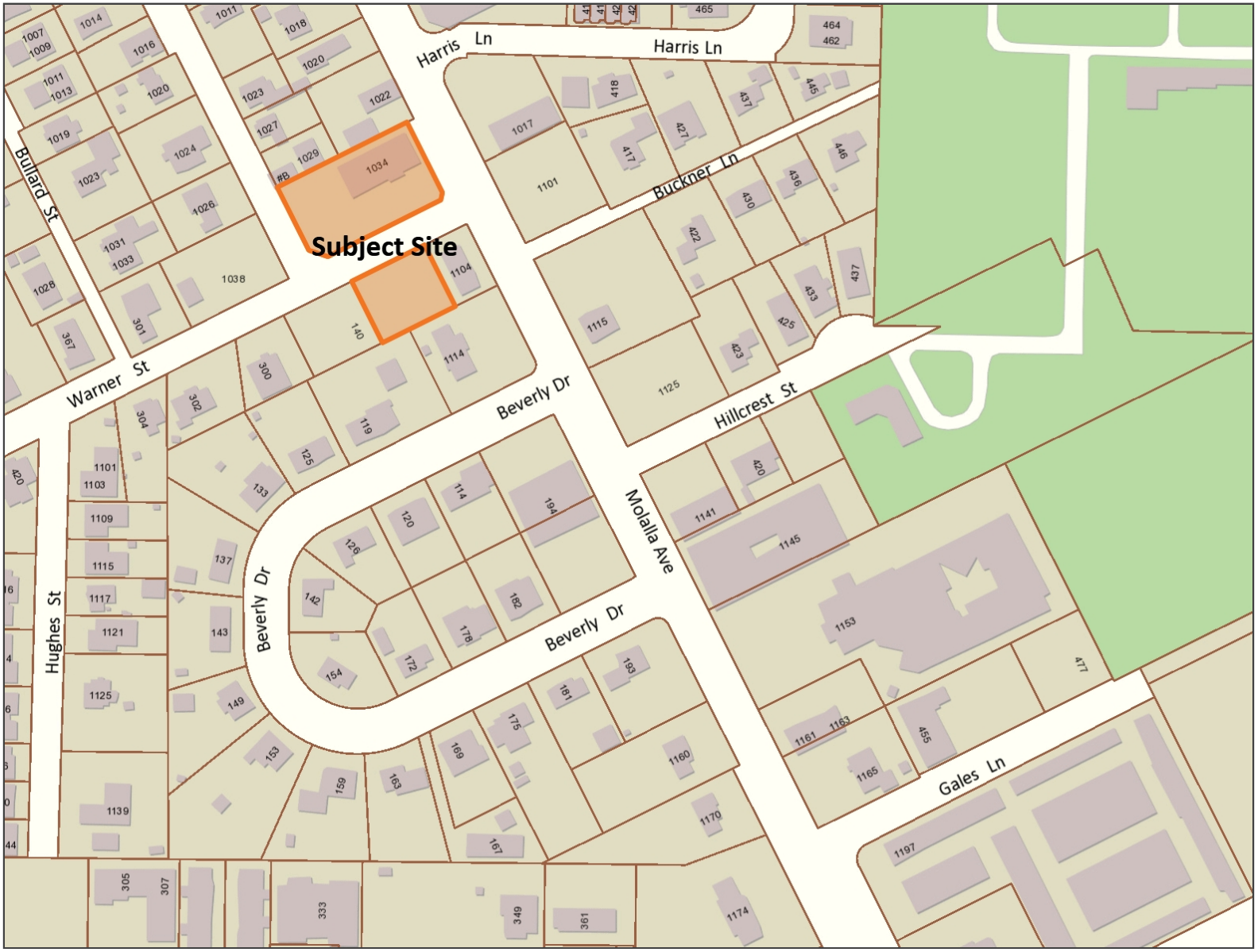
CONCLUSION AND DECISION:

Based on the analysis and findings as described above, Staff concludes that the proposed Site Plan and Design Review for a site located at 1034 Molalla Avenue, Oregon City, and identified as Clackamas County Map 3-2E-05BC, Tax Lot 2300 and 3600, cannot meet the requirements as described in the Oregon City Municipal Code. Therefore, the Community Development Director recommends denial of GLUA-19-00017/SP-19-00053/PARK-19-00002 based upon the findings and exhibits contained in this staff report.

EXHIBITS:

1. Vicinity Map
2. Applicant's Narrative and Plans (On File)
3. Public Comments
4. Applicant's Parking Analysis and Justification for Adjustment
5. On-street Parking Availability Analysis Prepared by Staff

Vicinity Map



Legend

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

Notes

Overview Map

0 200 400 Feet

1: 2,400

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Map created 9/17/2019

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OREGON CITY

Community Development – Planning

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Ph (503) 722-3789 | Fax (503) 722-3880

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

Type II (OCMC 17.50.030.B)
- ☐ Extension
- ☐ 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): PA 18-44

Proposed Land Use or Activity: 19 stall surface parking lot

Project Name: Milner Veterinary Hospital Parking Lot Expansion Number of Lots Proposed (If Applicable): N/A

Physical Address of Site: 140 Warner Street, Oregon City, OR 97045

Clackamas County Map and Tax Lot Number(s): 3-2E-05BC, Tax Lot 3600

Applicant(s):

Applicant(s) Signature:

Applicant(s) Name Printed: Steve Milner Date: 4/19/20

Mailing Address: 1034 Molalla Ave, Oregon City, OR 97045

Phone: 503-657-6553 Fax: 503-722-8628 Email: Stevemilnerdvm@gmail.com

Property Owner(s):

Property Owner(s) Signature:

Property Owner(s) Name Printed: Steve Milner Date: 4/19/20

Mailing Address: 1034 Molalla Ave, Oregon City, OR 97045

Phone: 503-657-6553 Fax: 503-722-8628 Email: Stevemilnerdvm@gmail.com

Representative(s):

Representative(s) Signature:

Representative (s) Name Printed: Date:

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.

MILNER VETERINARY HOSPITAL PARKING LOT EXPANSION

OREGON CITY, OR

GENERAL NOTES

1. SURVEY PROVIDED BY KPFF, DATED SEPTEMBER, 2018. ELEVATIONS ARE BASED ON NAVD 88 (GEOID 12A) BASIS OF BEARING BASED ON THE OREGON COORDINATE REFERENCE SYSTEM (OCRS), PORTLAND ZONE.
2. CONSTRUCTION LAYOUT (ALL ACTUAL LINES AND GRADES) SHALL BE STAKED BY A PROFESSIONAL SURVEYOR, REGISTERED IN THE STATE OF OREGON, BASED ON COORDINATES, DIMENSIONS, BEARINGS, AND ELEVATIONS, AS SHOWN, ON THE PLANS.
3. PROJECT CONTROL SHALL BE FIELD VERIFIED AND CHECKED FOR RELATIVE HORIZONTAL POSITION PRIOR TO BEGINNING CONSTRUCTION LAYOUT.
4. PROJECT CONTROL SHALL BE FIELD VERIFIED AND CHECKED FOR RELATIVE VERTICAL POSITION BASED ON THE BENCHMARK STATED HEREON, PRIOR TO BEGINNING CONSTRUCTION LAYOUT.
5. WHEN DIMENSIONS AND COORDINATE LOCATIONS ARE REPRESENTED – DIMENSIONS SHALL HOLD OVER COORDINATE LOCATION. NOTIFY THE CIVIL ENGINEER OF RECORD IMMEDIATELY UPON DISCOVERY OF ANY DISCREPANCIES.
6. BUILDING SETBACK DIMENSIONS FROM PROPERTY LINES SHALL HOLD OVER ALL OTHER CALLOUTS. PROPERTY LINES AND ASSOCIATED BUILDING SETBACKS SHALL BE VERIFIED PRIOR TO CONSTRUCTION LAYOUT.
7. CONTRACTOR SHALL PRESERVE AND PROTECT FROM DAMAGE ALL EXISTING MONUMENTATION DURING CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING AND PAYING FOR THE REPLACEMENT OF ANY MONUMENTS DAMAGED OR REMOVED DURING CONSTRUCTION. NEW MONUMENTS SHALL BE REESTABLISHED BY A LICENSED SURVEYOR.
8. SOME SITE DEMOLITION AND UTILITY RELOCATION HAS BEEN PERFORMED. SURVEY MAY NOT BE COMPLETE OR ACCURATE. CONTRACTOR TO VERIFY EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BRING ANY DISCREPANCIES TO THE ATTENTION OF THE ENGINEER PRIOR TO BEGINNING CONSTRUCTION.
9. CONTRACTOR TO REFERENCE SOILS REPORT BY GEODESIGN DATED AUGUST 29, 2018 FOR THE SITE SOILS CONDITIONS.
10. ALL CONSTRUCTION AND MATERIALS SHALL CONFORM TO THESE PLANS, THE PROJECT SPECIFICATIONS AND THE APPLICABLE REQUIREMENTS OF THE THE 2014 OREGON PLUMBING SPECIALTY CODE AND REQUIREMENTS OF THE CITY OF OREGON CITY.
11. THE COMPLETED INSTALLATION SHALL CONFORM TO ALL APPLICABLE FEDERAL, STATE, AND LOCAL CODES, ORDINANCES AND REGULATIONS. ALL PERMITS, LICENSES AND INSPECTIONS REQUIRED BY THE GOVERNING AUTHORITIES FOR THE EXECUTION AND COMPLETION OF WORK SHALL BE SECURED BY THE CONTRACTOR PRIOR TO COMMENCING CONSTRUCTION.
12. ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987). EXCAVATORS MUST NOTIFY ALL PERTINENT COMPANIES OR AGENCIES WITH UNDERGROUND UTILITIES IN THE PROJECT AREA AT LEAST 48 BUSINESS-DAY HOURS, BUT NOT MORE THAN 10 BUSINESS DAYS PRIOR TO COMMENCING AN EXCAVATION, SO UTILITIES MAY BE ACCURATELY LOCATED.
13. THE LOCATION OF EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLANS ARE FOR INFORMATION ONLY AND ARE NOT GUARANTEED TO BE COMPLETE OR ACCURATE. CONTRACTOR SHALL VERIFY ELEVATIONS, PIPE SIZE, AND MATERIAL TYPES OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCING WITH CONSTRUCTION AND SHALL BRING ANY DISCREPANCIES TO THE ATTENTION OF KPFF CONSULTING ENGINEERS, 72 HOURS PRIOR TO START OF CONSTRUCTION TO PREVENT GRADE AND ALIGNMENT CONFLICTS.
14. THE ENGINEER OR OWNER IS NOT RESPONSIBLE FOR THE SAFETY OF THE CONTRACTOR OR HIS CREW. ALL O.S.H.A. REGULATIONS SHALL BE STRICTLY ADHERED TO IN THE PERFORMANCE OF THE WORK.
15. TEMPORARY AND PERMANENT EROSION CONTROL MEASURES SHALL BE IMPLEMENTED. THE CONTRACTOR SHALL ADHERE TO CITY OF OREGON CITY WHICH ADOPTED AND MODIFIED THE CLACKAMAS COUNTY EROSION PREVENTION AND SEDIMENT CONTROL PLANNING AND DESIGN MANUAL, MAY 20, 2015 FOR MINIMUM EROSION CONTROL MEASURES. THE ESC FACILITIES SHOWN IN THESE PLANS ARE THE MINIMUM REQUIREMENTS FOR ANTICIPATED SITE CONDITIONS. DURING THE CONSTRUCTION PERIOD, ESC FACILITIES SHALL BE UPGRADED AS NEEDED FOR UNEXPECTED STORM EVENTS AND TO ENSURE THAT SEDIMENT AND SEDIMENT LADEN WATER DO NOT LEAVE THE SITE.
16. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL ROADWAYS, KEEPING THEM CLEAN AND FREE OF CONSTRUCTION MATERIALS AND DEBRIS, AND PROVIDING DUST CONTROL AS REQUIRED.
17. TRAFFIC CONTROL SHALL BE PROVIDED BY THE CONTRACTOR THROUGHOUT CONSTRUCTION. CONTRACTOR SHALL PROVIDE A TRAFFIC CONTROL PLAN TO OREGON CITY TRAFFIC DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO COMMENCING CONSTRUCTION.
18. CONTRACTOR SHALL MAINTAIN ALL UTILITIES TO BLDG. OR BUSINESS AT ALL TIMES DURING CONSTRUCTION.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING AND SCHEDULING ALL WORK WITH THE OWNER.
20. A PRECONSTRUCTION MEETING WITH THE OWNER, THE OWNER'S ENGINEER, CONTRACTOR AND THE CITY REPRESENTATIVE SHALL BE REQUIRED.

CONSTRUCTION NOTES

GENERAL

1. ACTUAL LINES AND GRADES SHALL BE STAKED BY A PROFESSIONAL SURVEYOR, REGISTERED IN THE STATE OF OREGON, BASED ON DIMENSIONS, ELEVATIONS AND BEARINGS AS SHOWN ON THE PLANS.
2. SUBGRADE AND TRENCH BACKFILL SHALL BE COMPACTED TO AT LEAST 95% OF THE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-698. FLOODING OR JETTING THE BACKFILLED TRENCHES WITH WATER IS NOT PERMITTED.
3. SPECIAL INSPECTION REQUIRED FOR ALL COMPACTION TESTING.
4. WORKMANSHIP AND MATERIALS IN THE PUBLIC RIGHT OF WAY SHALL BE IN ACCORDANCE WITH THE ADDITION OF THE "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION" AS PREPARED BY THE OREGON CHAPTER OF AMERICAN PUBLIC WORKS ASSOCIATION (APWA) AND AS MODIFIED AND ADOPTED BY THE CITY, IN EFFECT AT THE TIME OF APPLICATION.

DEMOLITION

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEMOLITION AND DISPOSAL OF EXISTING AC, CURBS, SIDEWALKS AND OTHER SITE ELEMENTS WITHIN THE SITE AREA IDENTIFIED IN THE PLANS.
2. EXCEPT FOR MATERIALS INDICATED TO BE STOCKPILED OR TO REMAIN ON OWNER'S PROPERTY, CLEARED MATERIALS SHALL BECOME CONTRACTOR'S PROPERTY, REMOVED FROM THE SITE, AND DISPOSED OF PROPERLY.
3. ITEMS INDICATED TO BE SALVAGED SHALL BE CAREFULLY REMOVED AND DELIVERED STORED AT THE PROJECT SITE AS DIRECTED BY THE OWNER.
4. ALL LANDSCAPING, PAVEMENT, CURBS AND SIDEWALKS, BEYOND THE IDENTIFIED SITE AREA, DAMAGED DURING THE CONSTRUCTION SHALL BE REPLACED TO THEIR ORIGINAL CONDITION OR BETTER.
5. CONCRETE SIDEWALKS SHOWN FOR DEMOLITION SHALL BE REMOVED TO THE NEAREST EXISTING CONSTRUCTION JOINT.
6. SAWCUT STRAIGHT MATCHLINES TO CREATE A BUTT JOINT BETWEEN THE EXISTING AND NEW PAVEMENT.

UTILITIES

1. ADJUST ALL INCIDENTAL STRUCTURES, MANHOLES, VALVE BOXES, CATCH BASINS, FRAMES AND COVERS, ETC. TO FINISHED GRADE.
2. CONTRACTOR SHALL ADJUST ALL EXISTING AND/OR NEW FLEXIBLE UTILITIES (WATER, TV, TELEPHONE, ELECTRICAL, ETC.) TO CLEAR ANY EXISTING OR NEW GRAVITY DRAIN UTILITIES (STORM DRAIN, SANITARY SEWER, ETC.) IF CONFLICT OCCURS.
3. CONTRACTOR SHALL COORDINATE WITH PRIVATE UTILITY COMPANIES FOR THE INSTALLATION OF OR ADJUSTMENT TO GAS, ELECTRICAL, POWER AND TELEPHONE SERVICE.
4. BEFORE BACKFILLING ANY SUBGRADE UTILITY IMPROVEMENTS CONTRACTOR SHALL SURVEY AND RECORD MEASUREMENTS OF EXACT LOCATION AND DEPTH AND SUBMIT TO ENGINEER AND OWNER.
5. ALL WORK TO CONFORM TO THE 2014 OREGON PLUMBING SPECIALTY CODE

STORM AND SANITARY

1. CONNECTIONS TO EXISTING STORM AND SANITARY SEWERS SHALL CONFORM TO THE 2015 OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION, SECTION 00490, "WORK ON EXISTING SEWERS AND STRUCTURES".
2. BEGIN LAYING STORM DRAIN AND SANITARY SEWER PIPE AT THE LOW POINT OF THE SYSTEM, TRUE TO GRADE AND ALIGNMENT INDICATED WITH UNBROKEN CONTINUITY OF INVERT. THE CONTRACTOR SHALL ESTABLISH LINE AND GRADE FOR THE STORM AND SANITARY SEWER PIPE USING A LASER.
3. ACTUAL LINES AND GRADES SHALL BE STAKED BY A QUALIFIED SURVEYOR, BASED ON COORDINATES, DIMENSIONS AND BEARINGS INDICATED ON THE PLANS. CONTRACTOR SHALL RETAIN A SURVEYOR LICENSED IN THE STATE OF OREGON.
4. ALL ROOF DRAIN AND CATCH BASIN LEADERS SHALL HAVE A MINIMUM SLOPE OF 2 PERCENT UNLESS NOTED OTHERWISE IN THE PLANS.
5. ALL HORIZONTAL CONNECTIONS TO THE SANITARY OR STORM SEWERS SHALL BE OF THE 'WYE' BRANCH TYPE.

WATER

1. ALL WATER AND FIRE PROTECTION PIPE SHALL HAVE A MINIMUM 36-INCH COVER TO THE FINISH GRADE.
2. ALL WATER AND FIRE PRESSURE FITTINGS SHALL BE PROPERLY RESTRAINED WITH THRUST BLOCKS PER DETAIL.
3. ALL WATER MAIN / SANITARY SEWER CROSSINGS SHALL CONFORM TO THE OREGON STATE HEALTH DEPARTMENT REGULATIONS, CHAPTER 333.

EARTHWORKS

1. CONTRACTOR SHALL PREVENT SEDIMENTS AND SEDIMENT LADEN WATER FROM ENTERING THE STORM DRAINAGE SYSTEM.
2. TRENCH BEDDING AND BACKFILL SHALL BE AS SHOWN ON THE PIPE BEDDING AND BACKFILL DETAIL, THE PROJECT SPECIFICATIONS AND AS REQUIRED IN THE SOILS REPORT. FLOODING OR JETTING THE BACKFILLED TRENCHES WITH WATER WILL NOT BE PERMITTED.

PAVING

1. SEE CITY DETAILS FOR SIDEWALK FINISHING AND SCORING PATTERNS.

SEPARATION STATEMENT

ALL WATER MAIN CROSSINGS SHALL CONFORM TO THE OREGON STATE HEALTH DEPARTMENT, CHAPTER 333. WATER MAINS SHALL CROSS OVER SANITARY SEWERS WITH A 18" MINIMUM CLEARANCE BETWEEN OUTSIDE DIAMETERS OF PIPE WITH ALL PIPE JOINTS EQUIDISTANT FROM CROSSING. HORIZONTAL SEPARATION BETWEEN WATER MAINS AND SANITARY SEWERS IN PARALLEL INSTALLATIONS SHALL BE 10'. MAINTAIN 12" MINIMUM VERTICAL DISTANCE FOR ALL OTHER UTILITY CROSSINGS AND 12" HORIZONTAL PARALLEL DISTANCE. IN CASES WHERE IT IS NOT POSSIBLE TO MAINTAIN THE MINIMUM 10' HORIZONTAL SEPARATION, THE WATER MAIN SHALL BE LAID ON A SEPARATE SHELF IN THE TRENCH 18" ABOVE THE SEWER.

MATERIAL NOTES

1. GENERAL: MATERIALS SHALL BE NEW. THE USE OF MANUFACTURER'S NAMES, MODELS, AND NUMBERS IS INTENDED TO ESTABLISH STYLE, QUALITY, APPEARANCE, AND USEFULNESS. PROPOSED SUBSTITUTIONS WILL REQUIRE WRITTEN APPROVAL FROM OWNER AND ENGINEER PRIOR TO INSTALLATION.
2. STORM AND SANITARY SEWER PIPING SHALL BE PVC PIPE, DUCTILE IRON PIPE OR HIGH DENSITY POLYETHYLENE (HDPE) PIPE CONFORMING TO THE PROJECT SPECIFICATIONS; AS INDICATED IN THE PLANS.
3. PRIVATE WATER LINES 3-INCH DIAMETER AND SMALLER SHALL BE SCHEDULE 40 PVC CONFORMING TO THE PROJECT SPECIFICATIONS; AS INDICATED IN THE PLANS.
4. CONCRETE FOR CURBS, SIDEWALK AND DRIVEWAYS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS.

ABBREVIATIONS

AC	ASPHALT CONCRETE	OVH/OH	OVERHEAD
AD	AREA DRAIN	℄/PL	PROPERTY LINE
APPROX.	APPROXIMATE	PC	POINT OF CURVATURE
B	BOLLARD	PCC	POINT OF COMPOUND CURVATURE
BLDG	BUILDING	PCR	POINT OF CURB RETURN
BOW	BACK OF WALK	PED	PEDESTRIAN
BS	BOTTOM OF SWALE	PIV	POST INDICATOR VALVE
	BOTTOM OF STAIR	PM	PARKING METER
BW	BOTTOM OF WALL	POC	POINT ON CURVE
CB	CATCH BASIN	PP	POWER POLE
CL	CENTERLINE	PRC	POINT OF REVERSE CURVATURE
CMP	CORRUGATED METAL PIPE	PSI	POUNDS PER SQUARE INCH
CMU	CONCRETE MASONRY UNIT	PT	POINT OF TANGENT
CO	CLEANOUT	P.U.E.	PUBLIC UTILITY EASEMENT
CONC.	CONCRETE	PVC	POLYVINYL CHLORIDE
COTG	CLEANOUT TO GRADE	PVMT	PAVEMENT
CP	CONTROL POINT	PVT	PRIVATE
Δ	DELTA	R	RIM
D/W	DRIVEWAY	RD	ROOF DRAIN
DIA.,Ø	DIAMETER	R.O.W.	RIGHT-OF-WAY
DIP	DUCTILE IRON PIPE	S	SLOPE (FT/FT)
E	EASTING	SD	STORM DRAIN
EXIST./EX	EXISTING	SDMH	STORM DRAIN MANHOLE
FDC	FIRE DEPARTMENT CONNECTION	SHT	SHEET
FF	FINISH FLOOR ELEVATION	SS	SANITARY SEWER
FG	FINISH GRADE	SSMH	SANITARY SEWER MANHOLE
FH	FIRE HYDRANT	ST	STREET
FL	FLOWLINE	STA	STATION
FND	FOUNDATION	STD	STANDARD
G	GUTTER	S/W	SIDEWALK
GB	GRADE BREAK	TC	TOP OF CURB
GL	GAS LINE	TD	TRENCH DRAIN
GV	GATE VALVE	TG	TOP OF GROUND
H	HEIGHT	TP	TOP OF PAVEMENT
HCP	HANDICAP PARKING SPACE	TRANS.	TRANSFORMER
HP	HIGH POINT	TS	TOP OF STAIR
I.D.	INSIDE DIAMETER	TW	TOP OF WALL
IE	INVERT ELEVATION		TOP OF WALK
INV	INVERT	TYP.	TYPICAL
IRR.	IRRIGATION	UG	UNDERGROUND
LP	LIGHT POLE	UGE	UNDERGROUND ELECTRIC
MAX.	MAXIMUM	W	WATER
MH	MANHOLE	W/	WITH
MIN.	MINIMUM	WCR	WHEEL CHAIR RAMP
N	NORTHING	WM	WATER METER
O.D.	OUTSIDE DIAMETER	WV	WATER VALVE
OF	OUTFALL		

NOTICE TO EXCAVATORS:
ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER.
(NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503)-232-1987).

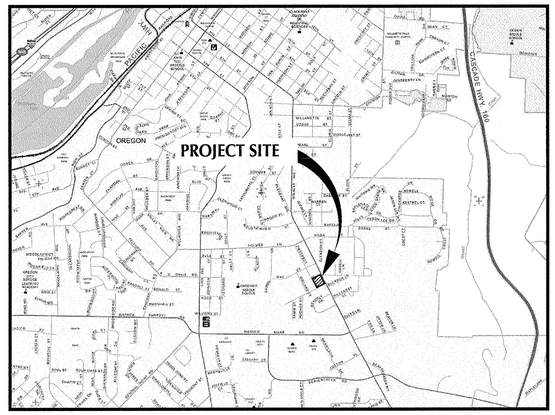
POTENTIAL UNDERGROUND FACILITY OWNERS

Dig Safely.

Call the Oregon One-Call Center
1-800-332-2344

EMERGENCY TELEPHONE NUMBERS

NW NATURAL GAS	
M-F 7am-6pm	503-226-4211 Ext.4313
AFTER HOURS	503-226-4211
PGE	503-464-7777
CENTURYLINK	1-800-573-1311
CITY BUREAU OF MAINTENANCE	503-823-1700
CITY WATER	503-823-4874
VERIZON	1-800-483-1000



VICINITY MAP

SCALE: NTS

PROJECT CONTACTS

OWNER:
STEVE MILNER
1034 MOLALLA AVE
OREGON CITY, OREGON 97045
TEL: 503-704-6307

CIVIL ENGINEER/PROJECT MANAGER:
KPFF CONSULTING ENGINEERS
111 SW FIFTH AVENUE, SUITE 2500
PORTLAND, OREGON 97204
TEL: 503-227-3251
CONTACT: DAAN DOMMELS

LANDSCAPE ARCHITECT:
ROSE BRADY KEANE
1921 NW KEARNEY STREET
PORTLAND, OREGON 97209
TEL: 503-936-6865

SHEET INDEX

SHEET COUNT	SHEET NUMBER	SHEET NAME
1	C0.1	COVER SHEET
2	C1.0	EXISTING CONDITIONS PLAN
3	C1.1	DEMOLITION PLAN
4	C2.0	OVERALL SITE PLAN
5	C3.0	GRADING AND UTILITY PLAN
6	C5.0	DETAILS
7	C5.1	DETAILS
8	C6.0	EROSION AND SEDIMENT CONTROL PLAN
9	C6.1	EROSION AND SEDIMENT CONTROL DETAILS
10	L1.0	PLANTING PLAN AND NOTES
11	L1.1	PLANTING DETAILS
12	L1.2	IRRIGATION PLAN, DETAILS AND NOTES

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

kpff
111 SW Fifth Ave., Suite 2400
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com

REGISTERED PROFESSIONAL ENGINEER 79776 OREGON DEC. 21, 2012 DAAN F.J. DOMMELS
EXPIRATION DATE: 12/31/2019

JOB No.:	1800304
DESIGNED BY:	DDO
DRAWN BY:	DDO
CHECKED BY:	DD
DATE:	
PLOTTED BY:	JYun
DWG NAME:	
TAB NAME:	C0.1

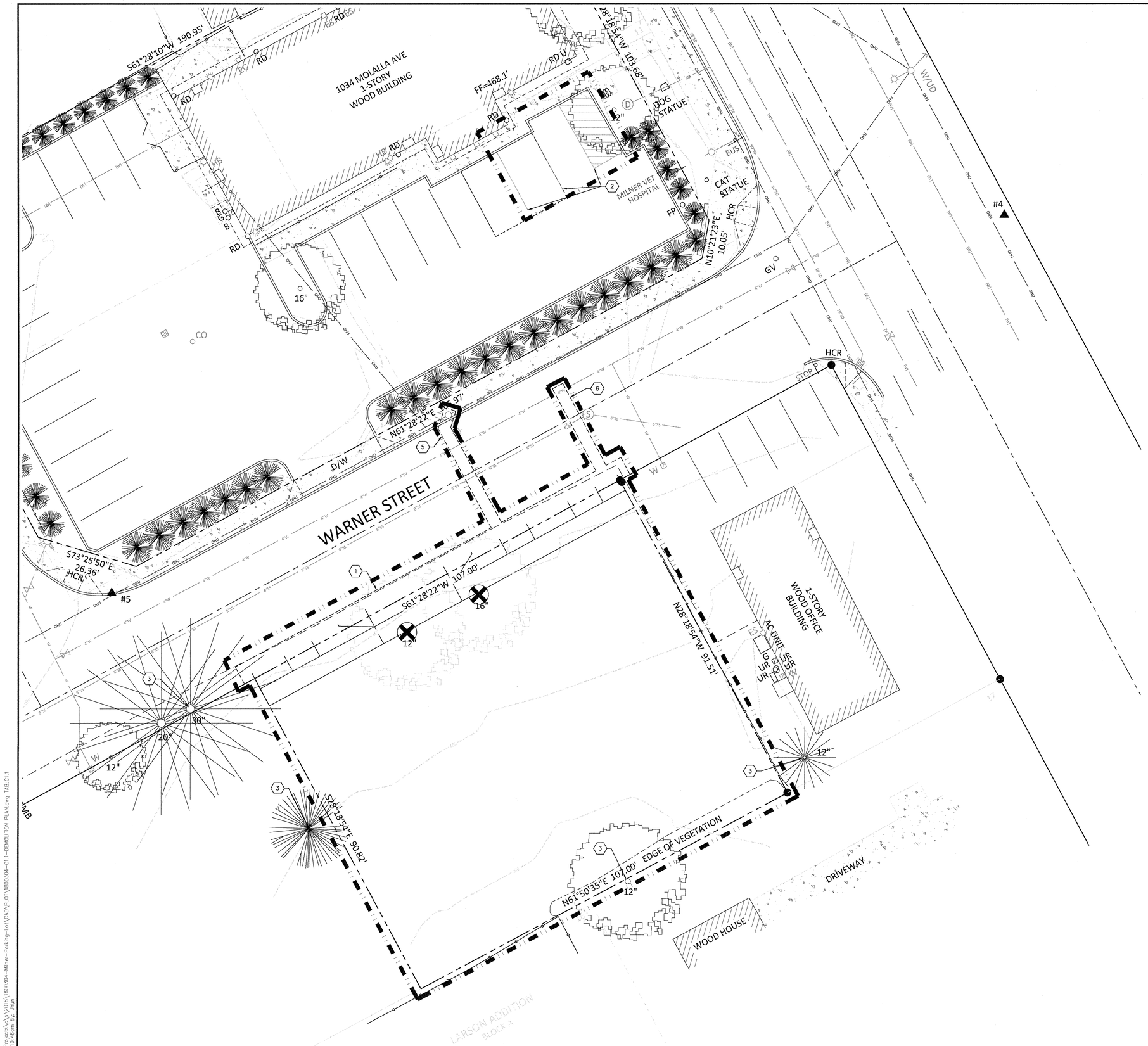
1034 Molalla Avenue Oregon City, OR 97045

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

CIVIL NOTES, LEGEND, AND ABBREVIATIONS

SHEET NO.
C0.1
SHEET 1 OF 12
RECORD NO.
1700123-XX

File: \\civilpdx1\Civil-Projects\p\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C0.1-COVER.dwg TAB:C0.1
30x42 Plotted: 7/20/19 at 10:46am By: JYun



SHEET NOTES

1. DEMOLITION LIMITS ARE TO BE FIELD VERIFIED AND COORDINATED WITH PROPOSED IMPROVEMENTS PRIOR TO CONSTRUCTION. UNLESS NOTED OTHERWISE REMOVE ALL SURFACE IMPROVEMENTS WITHIN LIMIT OF DEMOLITION ON SITE.
2. REFERENCE SHEET C1.0 FOR EXISTING CONDITIONS PLANS.
3. CONTRACTOR TO WALK THE SITE WITH THE OWNER PRIOR TO DEMOLITION TO VERIFY DEMOLITION LIMITS, SALVAGE ITEMS, AND IDENTIFY ITEMS TO REMAIN.
4. FIELD VERIFY EXISTING SERVICES TO EXISTING NEIGHBORING BUILDINGS, COORDINATE UTILITY DISRUPTIONS WITH OWNER.
5. SAWCUT STRAIGHT LINES TO CREATE A BUTT JOINT BETWEEN THE EXISTING AND NEW PAVEMENT.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEMOLITION AND DISPOSAL OF EXISTING AC, CURBS, SIDEWALKS, AND OTHER SITE ELEMENTS WITHIN THE SITE AREA IDENTIFIED IN THE PLANS. CONTRACTOR SHALL NOTIFY UTILITY COMPANIES A MINIMUM OF 72 HOURS PRIOR TO REMOVAL OR SHUT-OFF OF SERVICES.
7. ITEMS INDICATED TO BE SALVAGED SHALL BE CAREFULLY REMOVED DELIVERED AND STORED AT THE PROJECT SITE AS DIRECTED BY THE OWNER.
8. ALL LANDSCAPING, PAVEMENT, CURBS, SIDEWALKS, BEYOND THE IDENTIFIED SITE AREA, DAMAGED DURING THE CONSTRUCTION SHALL BE REPLACED TO THEIR ORIGINAL CONDITION OR BETTER.
9. CONCRETE CURBS TO BE DEMOLISHED SHALL BE REMOVED TO THE NEAREST EXISTING JOINT.
10. REMOVE EXISTING UNDERGROUND UTILITIES, VAULTS, AND UTILITY STRUCTURES WITHIN DEMOLITION LIMITS UNLESS NOTED OTHERWISE. PROVIDE TEMPORARY UTILITIES IF NECESSARY PRIOR TO DEMOLITION.
11. SITE BOUNDARY, TOPOGRAPHIC AND UTILITY LOCATION SURVEY INFORMATION SHOWN ON THESE DRAWINGS WAS FURNISHED BY KPFF IN JULY, 2018. CONDITIONS MAY VARY – FIELD VERIFY.
12. ALL NECESSARY PERMITS MUST BE OBTAINED PRIOR TO ANY WORK IN PUBLIC SPACE.
13. ALL UTILITY TRENCHING AREAS TO BE REPLACED TO ITS ORIGINAL CONDITIONS OR BETTER.

(X) DEMOLITION KEY NOTES

1. SAWCUT EXISTING ASPHALT PAVEMENT AT 3 FEET FROM PROPOSED FACE OF CURB
2. REMOVE EXISTING STRIPING
3. PROTECT EXISTING TREE
4. (NOT USED)
5. TRENCH WIDTH AS NECESSARY TO INSTALL NEW ELECTRICAL LINE CONNECTION PER C3.0
6. TRENCH WIDTH AS NECESSARY TO INSTALL NEW WATER LINE CONNECTION PER C3.0

SHEET LEGEND

- PROPERTY LINE
- DEMOLITION/WORK LIMITS (SHOWN OFFSET FOR CLARITY) DEMOLITION LIMITS. REMOVE ALL SURFACE AND BELOW GROUND ELEMENTS WITHIN INDICATED LIMITS UNLESS NOTED OTHERWISE.
- SAWCUT LINE
- REMOVE TREE

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

SCALE 1 INCH = 20 FEET (20 0 20 40)

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111 SW Fifth Ave., Suite 2400
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com

REGISTERED PROFESSIONAL ENGINEER — OREGON — DEC. 21, 1971 — DAAN F. J. DONKELS — EXPIRATION DATE: 12/31/2019

JOB No.:	1800304
DESIGNED BY:	DDO
DRAWN BY:	XXX
CHECKED BY:	DD
DATE:	
PLOTTED BY:	JYun
DWG NAME:	
TAB NAME:	C1.1

1034 Molalla Avenue Oregon City, OR 97045

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

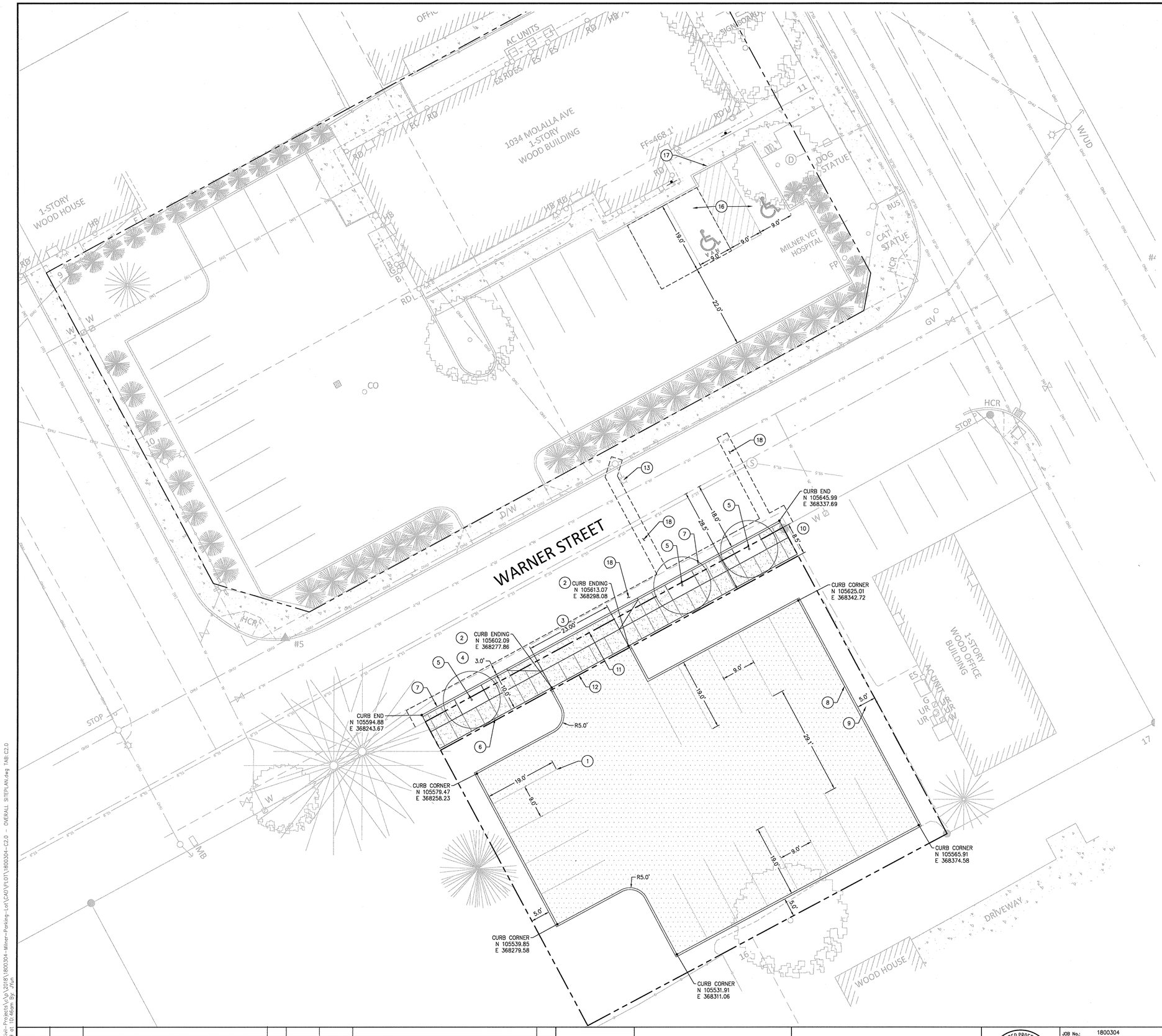
DEMOLITION PLAN

SHEET NO. C1.1

SHEET 3 OF 12

RECORD NO. 1700123-XX

File: \\civilpdx1\Civil-Projects\p\p\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C1.1-DEMOLITION PLAN.dwg TAB:C1.1
30x42 Plot Date: 7/30/19 at 10:46am By: JYun



SHEET NOTES

1. ALL DIMENSIONS AND COORDINATES ARE TO FACE OF CURB OR FACE OF WALL.

(X) KEY NOTES

1. STANDARD 4" WHITE STRIPING
2. CURB ENDING — (2/C5.0)
3. 23' COMMERCIAL CURB TIGHT DRIVEWAY — (7/C5.0)
4. SAWCUT 3 FEET FROM EDGE OF GUTTER, RESTORE PAVEMENT IN ACCORDANCE WITH THE CITY OF OREGON CITY PUBLIC WORKS PAVEMENT CUT STANDARDS.
5. INSTALL STREET TREE. SEE PLANTING PLAN
6. 5' WIDE SIDEWALK — (5/C5.0)
7. STANDARD CURB — (6/C5.0)
8. STANDARD CURB — (3/C5.0)
9. 5' LANDSCAPED SETBACK FROM PROPERTY LINE
10. 8.5' RIGHT-OF-WAY DEDICATION
11. OLD PROPERTY LINE
12. NEW PROPERTY LINE
13. EXISTING STREET LIGHT BY PGE
14. (NOT USED)
15. (NOT USED)
16. ACCESSIBLE PARKING — (8/C5.0)
17. EXISTING FLUSH CURB
18. REPAVE LOCAL STREET IMPROVEMENTS BASED PER CITY OF OREGON CITY PUBLIC WORKS STANDARDS — (10/C5.0)

LEGEND

- PROPERTY LINE
- SAWCUT LINE
- POROUS ASPHALT PAVEMENT — (1/C5.0)
- CONCRETE SIDEWALK PAVEMENT — (4/C5.0)

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

SCALE 1 INCH = 10 FEET (10 0 10 20)

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REGISTERED PROFESSIONAL ENGINEER — OREGON — DEC. 21, 2011 — SHAN F. J. DONNELS
EXPIRATION DATE: 12/31/2019

JOB No.:	1800304
DESIGNED BY:	XXX
DRAWN BY:	XXX
CHECKED BY:	DD
DATE:	
PLOTTED BY:	JYun
DWG NAME:	
TAB NAME:	C2.0

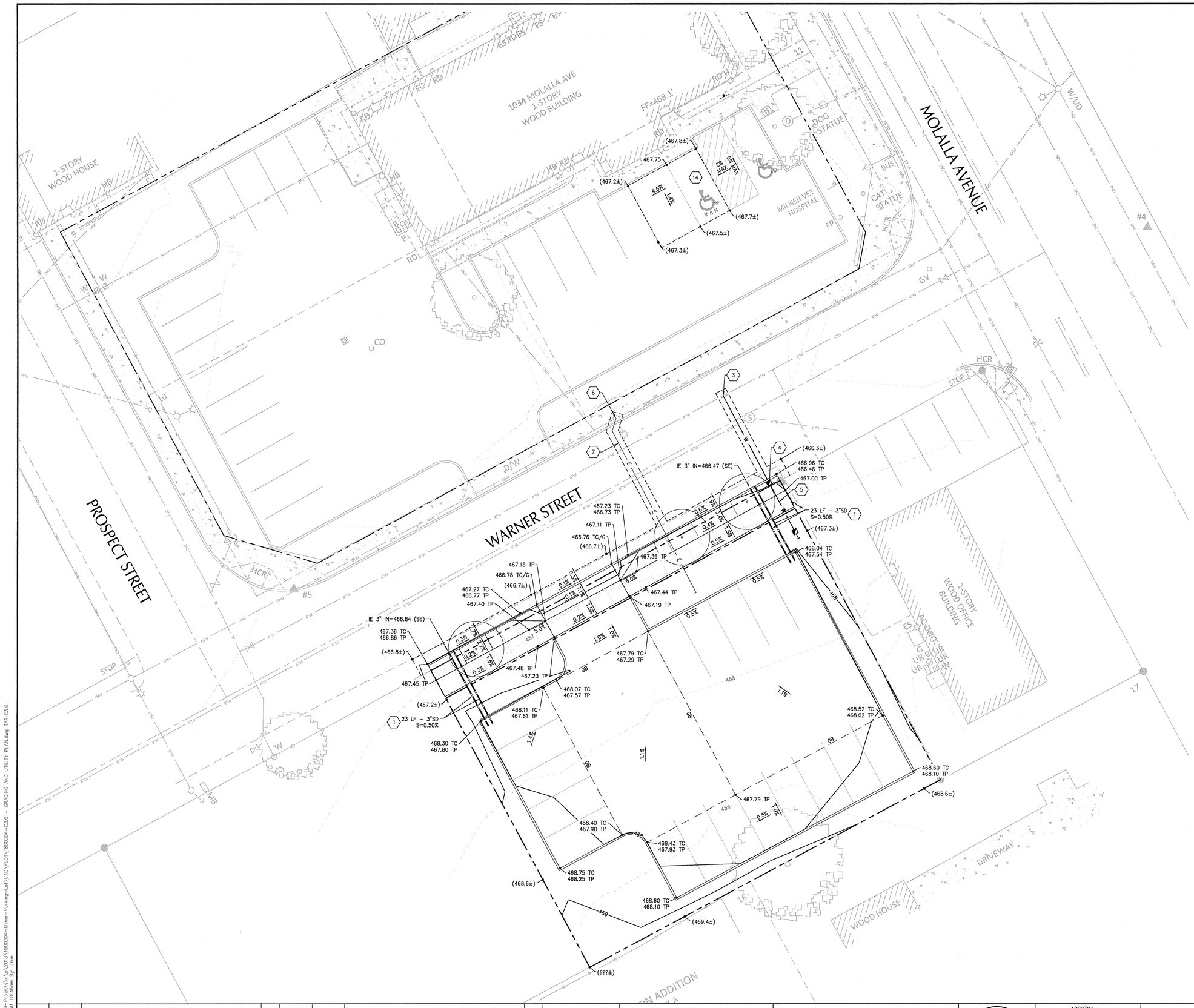
1034 Molalla Avenue Oregon City, OR 97045

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

OVERALL SITE PLAN

SHEET NO. C2.0
SHEET 4 OF 12
RECORD NO. 1700123-XX

File: \\civilpdx1\Civil-Projects\Jobs\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C2.0 - OVERALL SITEPLAN.dwg TAB:C2.0
20x42 Plotted: 7/30/19 at 10:46am By: JYun



SHEET NOTES

1. SLOPES PROVIDED ON SLOPE ARROW ARE FOR REFERENCE ONLY.
2. ON-SITE PIPE BEDDING AND BACKFILL FOR ALL UTILITIES SHALL BE DONE PER DETAIL 1/C5.1.
3. STRUCTURES LOCATIONS ARE BASED ON CENTER OF STRUCTURE.

(X) UTILITY KEY NOTES

1. 2 x ø3" OVERFLOW DRAINS TO WARNER STREET — 3/C5.1
2. (NOT USED)
3. CONNECT 1" WATER LINE TO PUBLIC WATER LINE. CONTRACTOR TO COORDINATE CONNECTION WITH OREGON CITY PUBLIC WORKS DEPARTMENT. — 2/C5.1
4. WATER METER TO BE INSTALLED BY OREGON CITY PUBLIC WORKS DEPARTMENT FOR WATER LINE CONTINUATION. SEE SHEET L1.2.
5. IRRIGATION BACKFLOW PREVENTER. SEE SHEET L1.2 FOR DETAILS AND CONTINUATIUON.
6. EXISTING PGE INSTALLED STREET LIGHT. SEE PHOTOMETRIC PLAN 4/C5.1
7. CONTRACTOR TO PROVIDE ELECTRICAL SERVICE TO THE PROJECT SITE FROM EXISTING POLE. COORDINATE CONNECTION LOCATION AND METERING WITH PGE AND OWNER.
8. REGRADE/PAVE AREA TO MEET ACCESSIBLE PARKING STANDARD OF MAX 5% LONGITUDINAL SLOPE AND MAX 2% CROSS SLOPE IN ACCESSIBLE PARKING AREA.

LEGEND

— — —	PROPERTY LINE
479	EX. CONTOUR MIINOR
480	EX. CONTOUR MAJOR
479	PROP. CONTOUR MINOR
480	PROP. CONTOUR MAJOR
GB	GRADE BREAK

GRADING LABEL LEGEND

CALLOUT	DESCRIPTION
X.X%	GRADING SLOPE AND DIRECTION (DOWNHILL)
XX.XX	SPOT ELEVATION
XX	DESCRIPTION LISTED BELOW. NO DESCRIPTION MEANS TP OR TG
BS	BOTTOM OF STEP
BP	BOTTOM OF PLANTER (TOP OF SOIL MEDIA)
EG	EXISTING GRADE
FF	FINISHED FLOOR
FG	FINISHED GRADE
RIM	RIM OF STRUCTURE
TC	TOP OF CURB
TG	TOP OF GROUND
TP	TOP OF PAVEMENT
TS	TOP OF STEP
TW	TOP OF WALL
TD	TOP OF RAISED DECK WALKWAY

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

SCALE 1 INCH = 10 FEET
10 0 10 20

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Portland, OR 97204
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F: 503.224.4681
www.kpff.com

REGISTERED PROFESSIONAL ENGINEER 79775 OREGON DEC. 21, 2011 DAAN F. J. DONNELS
EXPIRATION DATE: 12/31/2020

JOB No.:	1800304
DESIGNED BY:	XXX
DRAWN BY:	XXX
CHECKED BY:	DD
DATE:	
PLOTTED BY:	JYun
DWG NAME:	
TAB NAME:	C3.0

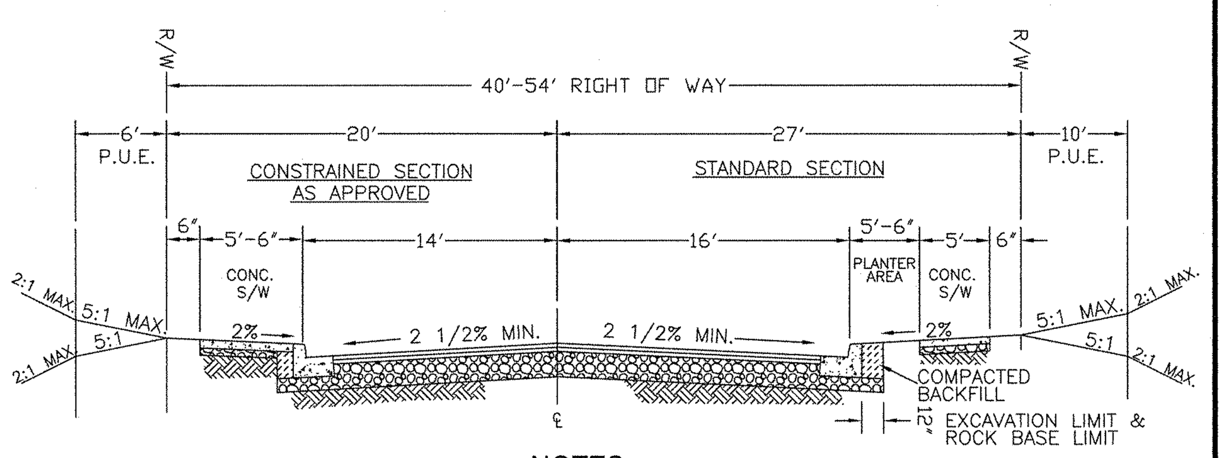
1034 Molalla Avenue Oregon City, OR 97045

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

GRADING AND UTILITY PLAN

SHEET NO. C3.0
SHEET 5 OF 12
RECORD NO. 1700123-XX

File: \\civilpdx1\Civil-Projects\c\p\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C3.0 - GRADING AND UTILITY PLAN.dwg TAB:C3.0
30x42 Plotted: 7/30/19 at 10:46am By: JYun



NOTES:

1. HOT MIXED ASPHALT CONCRETE (HMAC) FOR ALL LOCAL STREET SECTIONS SHALL BE CLASS ½" DENSE, PG 64-22, ESAL 3 TO 30 MIX DESIGN.
2. AASHTO SOIL TYPES:
   - 2.1. FOR SOIL TYPES A-1 TO A-6, PLACE ASPHALT CONCRETE IN TWO LIFTS. EACH LIFT THICKNESS SHALL BE 2 INCHES FOR A TOTAL ASPHALT THICKNESS OF 4 INCHES. SECOND FINAL LIFT SHALL BE PLACED WITH A CONTINUOUS PAVING OPERATION FOLLOWING THE PLACEMENT OF THE FIRST BASE LIFT, UNLESS OTHERWISE APPROVED BY CITY. COMPACT PER ODOT SPECIFICATIONS.
   - 2.2. FOR SOIL TYPE A-7 (CLAY SOILS), A PAVEMENT DESIGN REPORT SHALL BE REQUIRED TO ACCOMMODATE ANTICIPATED TRAFFIC LOADINGS AND EXISTING SOIL CONDITIONS. THE REPORT SHALL BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.
3. AGGREGATE BASE ROCK THICKNESS SHALL BE 2 INCHES OF ¾" - 0 LEVELING COURSE OVER 10 INCHES OF 1" - 0 BASE FOR A TOTAL BASE ROCK THICKNESS OF 12 INCHES.
4. SUBGRADE AND BASE ROCK SHALL BE COMPACTED TO 95% RELATIVE DENSITY, PER AASHTO T-180.
5. STANDARD AND CONSTRAINED SECTIONS SHALL BE SYMMETRICAL ABOUT THE CENTER LINE.
6. USE MONOLITHIC CURB AND GUTTER, UNLESS OTHERWISE NOTED (SEE DWG. NUMBER 511)
7. DESIGN SPEED EQUALS 25 MILES PER HOUR.

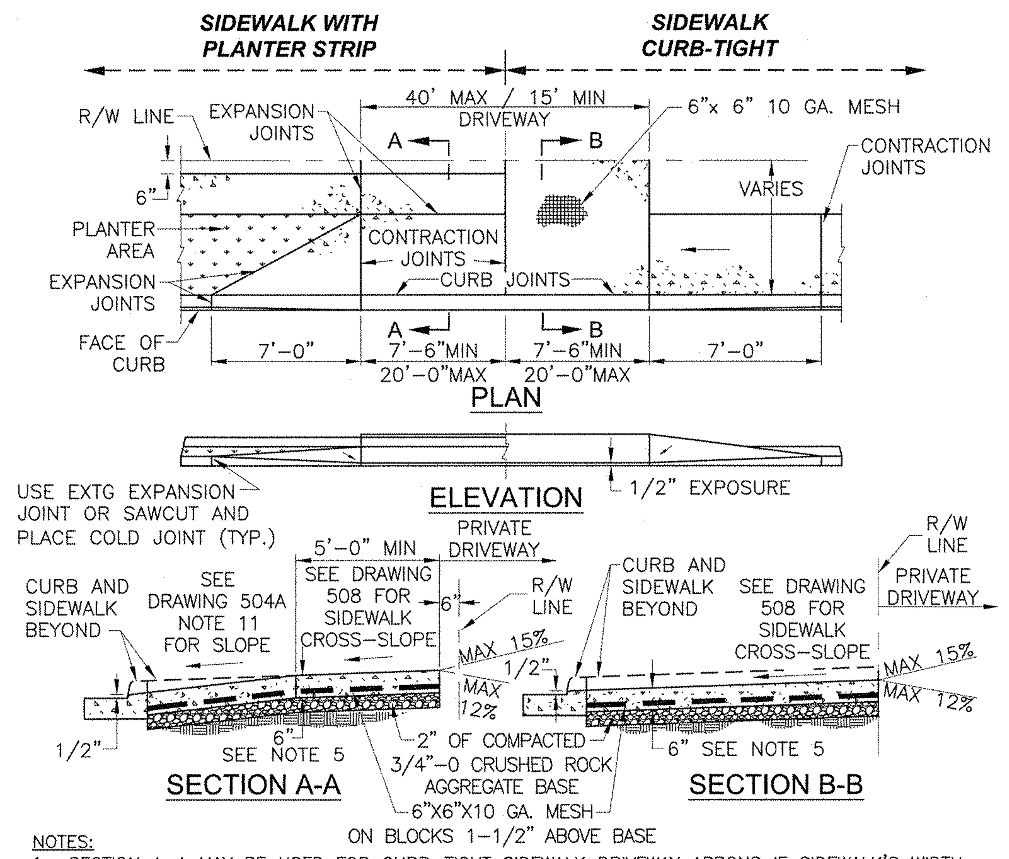
DRAWN	JRF	
ENGR.	J.W.H.	
REV.	DATE	APPR.
1	11/08	NJK

City of Oregon City
Public Works Standard Drawings

LOCAL STREET SECTION

SCALE N.T.S. | DATE JULY 1993 | APPR. | DWG. NO. 500

10 LOCAL STREET SECTION
SCALE: NTS



NOTES:
1. SECTION A-A MAY BE USED FOR CURB-TIGHT SIDEWALK DRIVEWAY APRONS IF SIDEWALK'S WIDTH IS 10' OR MORE.
2. CONCRETE SHALL BE AIR ENTRAINED 4.5% MINIMUM AND HAVE A MINIMUM BREAKING STRENGTH OF 4,000 PSI AFTER 28 DAYS.
3. CURB JOINT SHALL BE A TROWELED JOINT WITH A MINIMUM 1/2 INCH RADIUS ALONG BACK OF CURB.
4. EXPANSION JOINTS SHALL BE 1/2 INCH "REFLEX RUBBER JOINT EXPANSION," OR APPROVED EQUAL, EXTENDING FROM TOP OF BASE TO FINISHED GRADE.
5. FOR DRIVEWAYS 24 FEET WIDE OR GREATER, CONCRETE TO BE INCREASED TO A 7-INCH DEPTH.
6. FINISH WITH BROOM AND EDGE ALL JOINTS.
7. WEEPHOLES SHALL NOT BE PLACED IN WING.
8. IF CURBING IS BEING REMOVED TO INSTALL A DRIVEWAY AND THE GUTTER SHOULD BECOME SEPARATED FROM THE DRIVING SURFACE IN EXCESS OF 1/16 INCH, THEN THE GUTTER SHALL ALSO BE REMOVED AND REPLACED.
9. WINGS OF THE COMMERCIAL DRIVEWAY WHICH ARE A PORTION OF THE CURB-TIGHT SIDEWALK SHALL NOT EXCEED 8.33% (1:12) FINISHED SLOPE.
10. SLOPE OF THE DRIVEWAY MAY BE AWAY FROM THE CURB WHEN PREAPPROVED BY CITY ENGINEER.

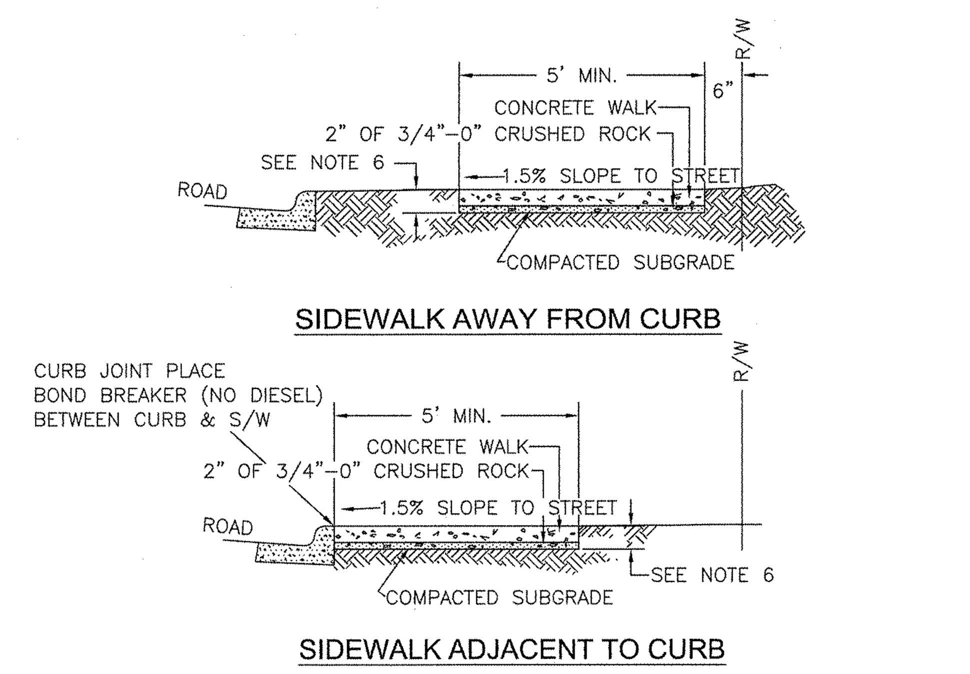
DRAWN	JRF	
ENGR.	NJK	
REV.	DATE	APPR.
1	5/12	NJK
2	12/18	AFG

City of Oregon City
Public Works Standard Drawings

STANDARD COMMERCIAL DRIVEWAY

SCALE N.T.S. | DATE AUGUST 2007 | APPR. NJK | DRAWING NO. 505

7 COMMERCIAL DRIVEWAY
SCALE: NTS



NOTES:
1. CONCRETE SHALL BE AIR ENTRAINED MINIMUM 4.5% AND HAVE A MINIMUM BREAKING STRENGTH OF 4000 PSI AT 28 DAYS.
2. PANELS TO BE 5 FEET LONG, ALL SURFACES SHALL BE TROWELED AND BROOMED IN A WORKMAN LIKE MANNER. WORKMANSHIP DESCRIBED AS: LIGHT BROOM FINISH WITH NO RIDGES AT TROWELED BORDERS, NO HUMPS OR SAGS, AND FINISH TO BE PROTECTED FROM WEATHER DAMAGE AND GRAFFITI.
3. EXPANSION JOINTS SHALL BE PLACED AT SIDES OF DRIVEWAY APPROACHES, UTILITY VAULTS, RAMPS, & AT SPACING NOT TO EXCEED 45 FT.
4. CONTRACTION JOINTS SHALL BE PLACED AT ALL CHANGES IN DIRECTION, POINTS OF CURVATURE AND AT 15' MAXIMUM INTERVALS WITH A MAXIMUM 1/2-INCH RADIUS TROWEL JOINT.
5. SIDEWALK SHALL HAVE A MINIMUM THICKNESS OF 4 INCHES, SEE DRAWINGS 504 & 505 FOR DRIVEWAY CROSSINGS.
6. DRAIN WEEPHOLES IN CURBS SHALL BE EXTENDED TO BACK OF SIDEWALK WITH 3-INCH DIAMETER PVC SCHEDULE 40 ASTM 1785 PIPE AT 2% SLOPE. CONTRACTION JOINT TO BE PLACED OVER PIPE.
7. LOCATION & WIDTH OF SIDEWALK WILL VARY DEPENDING OF STREET CLASSIFICATION. SEE STREET SECTIONS.
8. MAX. 1.5% DESIGN SLOPE (MAX. 2.0% FINISHED SLOPE)

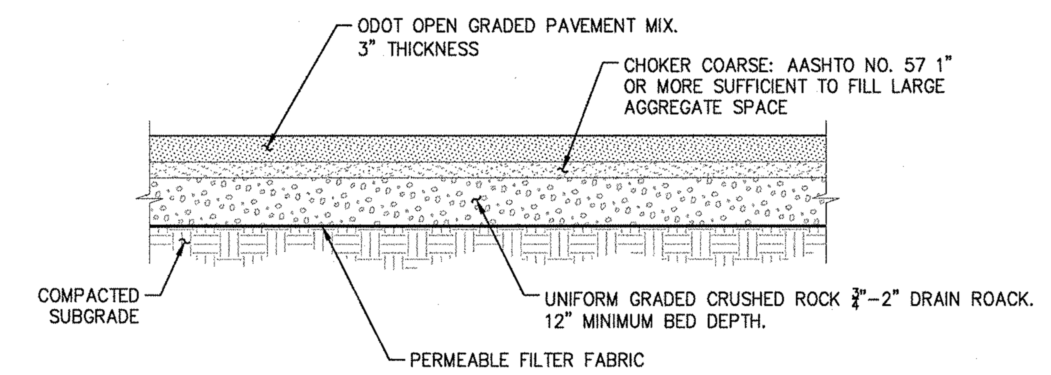
DRAWN	S.L.W.	
ENGR.	J.W.H.	
REV.	DATE	APPR.
1	4/08	NJK
2	5/12	NJK
3	12/18	AFG

City of Oregon City
Public Works Standard Drawings

SIDEWALK DETAIL

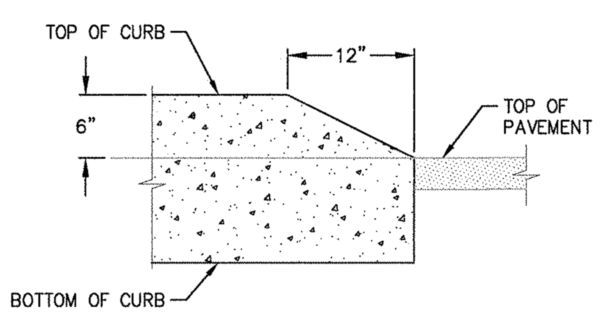
SCALE N.T.S. | DATE JULY 1993 | APPR. | DRAWING NO. 508

5 SIDEWALK DETAIL
SCALE: NTS

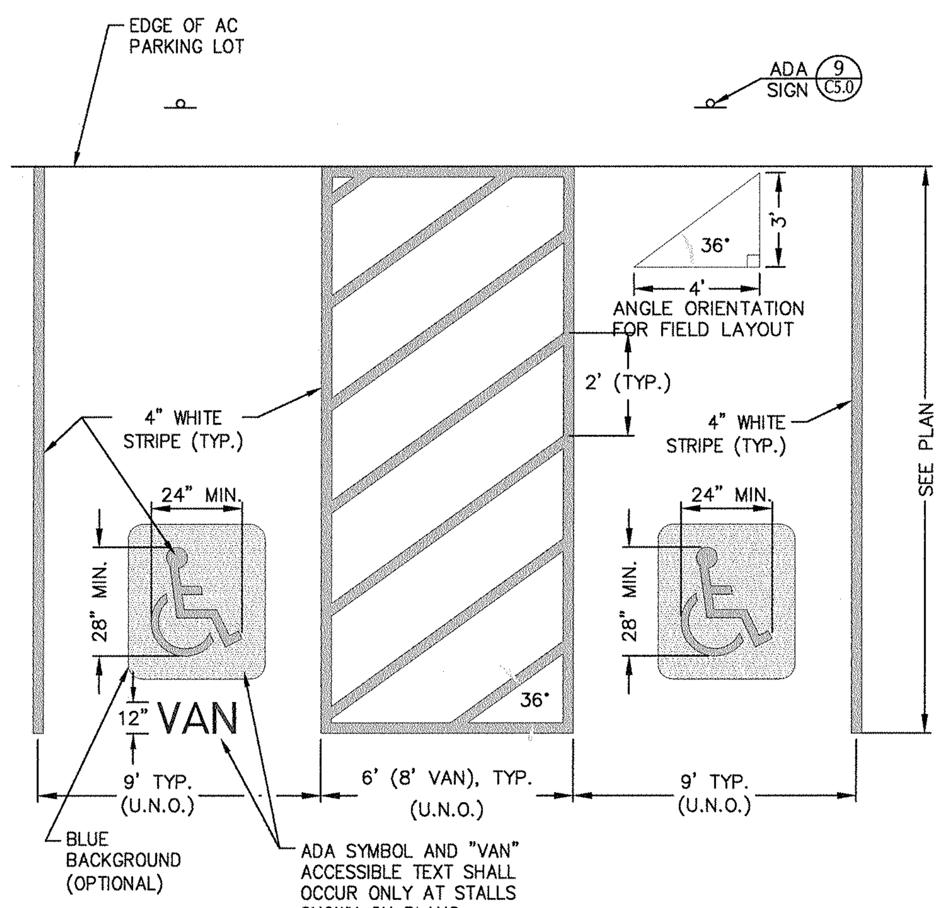


NOTES:
1. REFERENCE GEOTECHNICAL REPORT BY GEODESIGN, DATED AUGUST 29, 2018 FOR SPECIFIC AC AND BASE COURSE REQUIREMENTS.

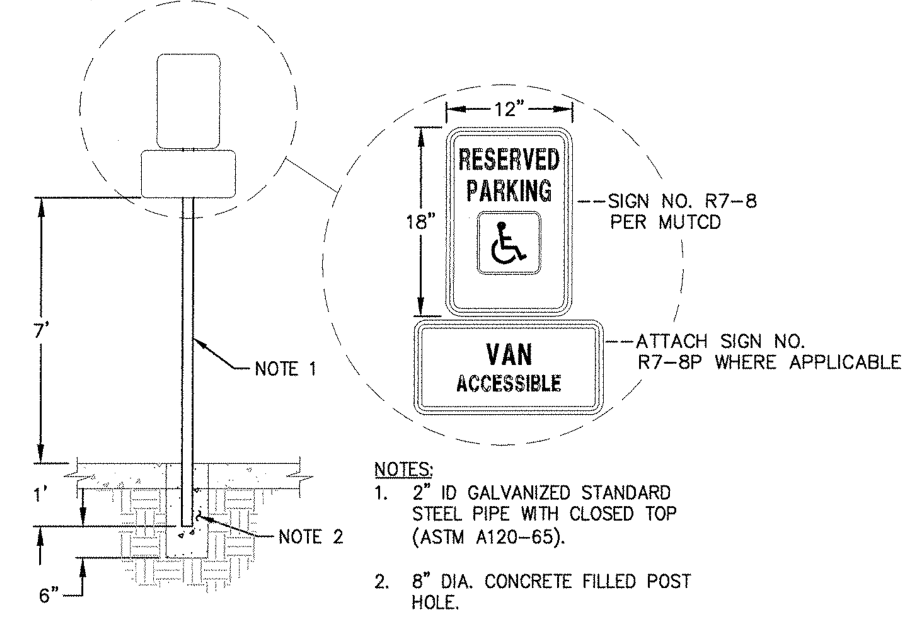
1 PERMEABLE PAVEMENT SECTION
SCALE: NTS



2 CONCRETE CURB - ENDING
SCALE: NTS

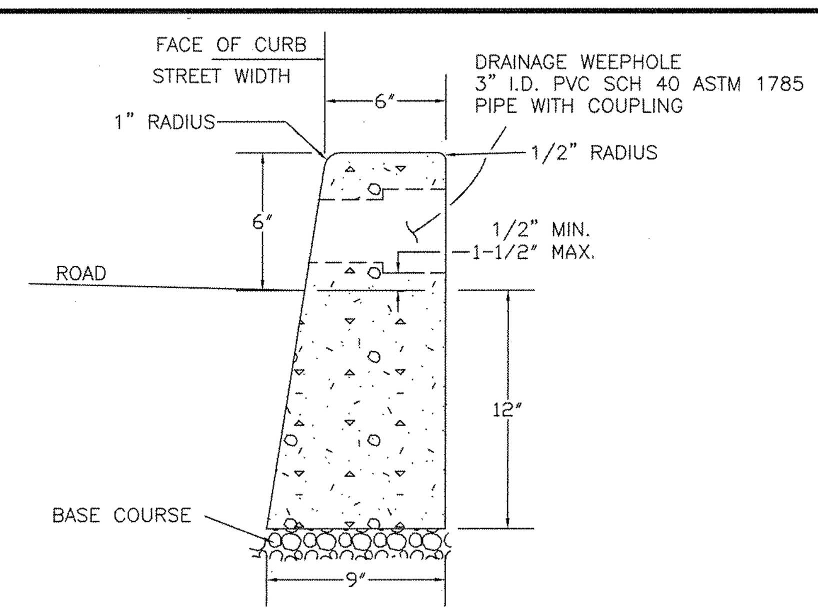


8 TYPICAL PARKING LAYOUT
SCALE: NTS



NOTES:
1. 2" ID GALVANIZED STANDARD STEEL PIPE WITH CLOSED TOP (ASTM A120-65).
2. 8" DIA. CONCRETE FILLED POST HOLE.

9 ADA PARKING SIGN - TYPE 1
SCALE: NTS



1. CONCRETE SHALL BE AIR-ENTRAINED MINIMUM 4.5% AND HAVE A MINIMUM BREAKING STRENGTH OF 4000 PSI AFTER 28 DAYS.
2. EXPANSION JOINTS.
   - A. TO BE PROVIDED:
     1) AT EACH COLD JOINT.
     2) AT EACH END OF DRIVEWAYS.
     3) AT EACH SIDE OF INLET STRUCTURES.
     4) AT EACH POINT OF TANGENCY OF THE CURB.
     5) AT LOCATIONS NECESSARY TO LIMIT SPACING TO 45 FEET.
   - B. MATERIAL TO BE USED IS "REFLEX RUBBER JOINT EXPANSION" JOINT MATERIAL, OR CITY APPROVED EQUAL, WITH A THICKNESS OF 1/2-INCH.
3. CONTRACTION JOINTS.
   - A. SPACING TO BE NOT MORE THAN 15 FEET.
   - B. THE DEPTH OF THE JOINT SHALL BE AT LEAST 1-1/2 INCHES WITH 1/2-INCH MAXIMUM RADIUS TROWEL JOINT.
4. BASE ROCK TO BE 1"-0" OR 3/4"-0", 95% COMPACTION. BASE ROCK SHALL BE TO SUBGRADE OF STREET STRUCTURE OR 4-INCH IN DEPTH, WHICHEVER IS GREATER.
5. DRAINAGE WEEPHOLE
   - A. 3-INCH I.D. PVC SCH 40 ASTM 1785 PIPE WITH COUPLING.
   - B. DRAINAGE ACCESS THRU EXISTING CURBS SHALL BE CORE DRILLED OR CURB SAW CUT VERTICALLY 18-INCH EACH SIDE OF DRAIN AND REPOURED TO FULL DEPTH OF CURB.
6. CURB EXPOSURE SHALL BE 7-1/2 INCHES AT CATCH INLETS/BASINS.

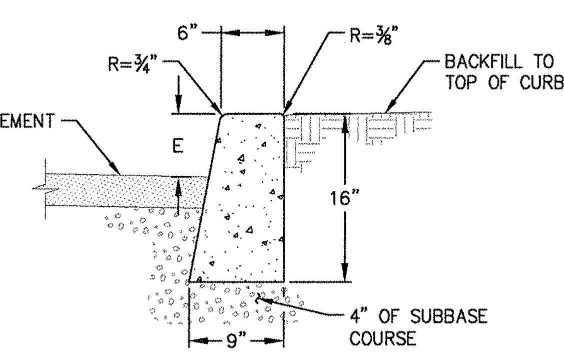
DRAWN	S.L.W.	
ENGR.	J.W.H.	
REV.	DATE	APPR.
1	12/09	NJK
2	5/12	NJK

City of Oregon City
Public Works Standard Drawings

STANDARD CURB

SCALE N.T.S. | DATE APRIL 1993 | APPR. | DWG. NO. 510

6 STANDARD CURB
SCALE: NTS



NOTES:
1. CURB EXPOSURE 'E' = 6", TYP. VARY AS SHOWN ON PLANS OR AS DIRECTED.
2. CONSTRUCT CONTRACTION JOINTS AT 15' MAX. SPACING AND AT RAMPS. CONSTRUCT EXPANSION JOINTS AT 200' MAX SPACING AT POINTS OF TANGENCY AND AT ENDS OF EACH DRIVEWAY.
3. TOPS OF ALL CURBS SHALL SLOPE TOWARD THE ROADWAY AT 2% UNLESS OTHERWISE SHOWN OR AS DIRECTED.
4. DIMENSIONS ARE NOMINAL AND MAY VARY TO CONFORM WITH CURB MACHINE AS APPROVED BY THE ENGINEER.

3 CONCRETE CURB - STANDARD
SCALE: NTS

4 (NOT USED)
SCALE: NTS

File: \\civilpdx1\Civil-Projects\c\p\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C5.0 -DETAILS.dwg TAB:C5.0
30x42 Plotted: 7/30/19 at 10:46am By: JYun

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

kpff
111 SW Fifth Ave., Suite 2400
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com

REGISTERED PROFESSIONAL ENGINEER 79775 OREGON DEC. 21, 2011 DAAN F. J. DOMMELS
EXPIRATION DATE: 12/31/2019

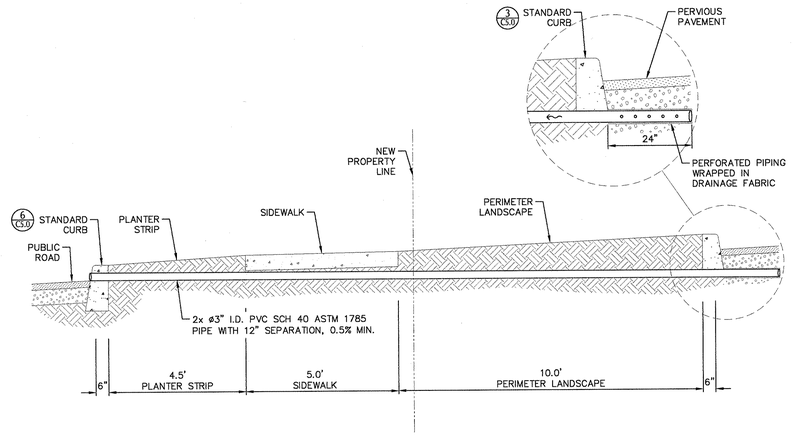
JOB No.:	1800304
DESIGNED BY:	XXX
DRAWN BY:	XXX
CHECKED BY:	DD
DATE:	
PLOTTED BY:	JYun
DWG NAME:	
TAB NAME:	C5.0

1034 Molalla Avenue Oregon City, OR 97045

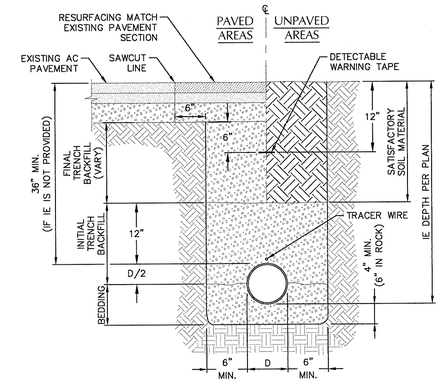
MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

DETAILS

SHEET NO.
C5.0
SHEET 6 OF 12
RECORD NO. 1700123-XX



3 OVERFLOW DRAIN DETAIL
SCALE: NTS



1 TYPICAL PIPE BEDDING AND BACKFILL
SCALE: NTS

PGE

PORTLAND GENERAL ELECTRIC

LIGHTING SERVICES

1034 Molalla Ave., Oregon City, OR 97045

Designer
Lisa Guarnero
Date
7/25/2019
Scale
Not to Scale
Drawing No.

Summary

1 of 1

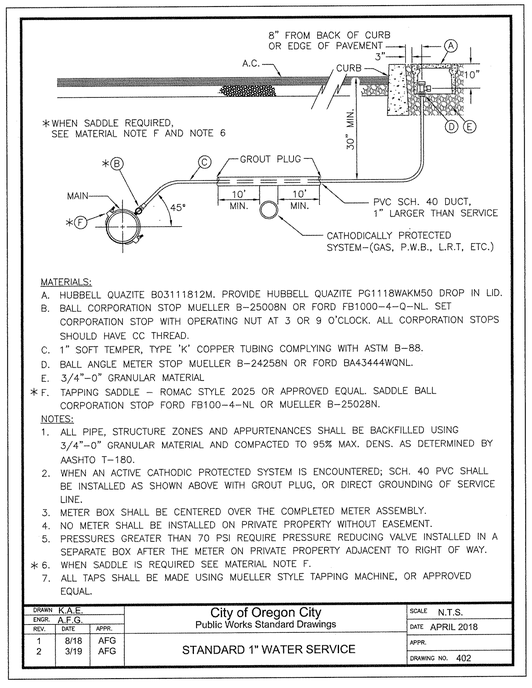
Schedule

Label	Quantity	Description	Lumens Per Lamp	Light Loss Factor
45W	1	Leotek LED 3K	5014.282	0.85

Statistics

Description	Avg	Min	Avg/Min
Crosswalk	1.0 fc	0.7 fc	1.4:1

4 PGE PHOTOMETRIC PLAN
SCALE: NTS



MATERIALS:
A. HUBBELL QUAZITE B03111812M. PROVIDE HUBBELL QUAZITE PG1118WAKM50 DROP IN LID.
B. BALL CORPORATION STOP MUELLER B–25008N OR FORD FB1000–4–Q–NL. SET CORPORATION STOP WITH OPERATING NUT AT 3 OR 9 O'CLOCK. ALL CORPORATION STOPS SHOULD HAVE CC THREAD.
C. 1" SOFT TEMPER, TYPE 'K' COPPER TUBING COMPLYING WITH ASTM B–88.
D. BALL ANGLE METER STOP MUELLER B–24258N OR FORD BA43444WQNL.
E. 3/4"–0" GRANULAR MATERIAL
*F. TAPPING SADDLE – ROMAC STYLE 2025 OR APPROVED EQUAL. SADDLE BALL CORPORATION STOP FORD FB100–4–NL OR MUELLER B–25028N.

NOTES:
1. ALL PIPE, STRUCTURE ZONES AND APPURTENANCES SHALL BE BACKFILLED USING 3/4"–0" GRANULAR MATERIAL AND COMPACTED TO 95% MAX. DENS. AS DETERMINED BY AASHTO T–180.
2. WHEN AN ACTIVE CATHODIC PROTECTED SYSTEM IS ENCOUNTERED; SCH. 40 PVC SHALL BE INSTALLED AS SHOWN ABOVE WITH GROUT PLUG, OR DIRECT GROUNDING OF SERVICE LINE.
3. METER BOX SHALL BE CENTERED OVER THE COMPLETED METER ASSEMBLY.
4. NO METER SHALL BE INSTALLED ON PRIVATE PROPERTY WITHOUT EASEMENT.
5. PRESSURES GREATER THAN 70 PSI REQUIRE PRESSURE REDUCING VALVE INSTALLED IN A SEPARATE BOX AFTER THE METER ON PRIVATE PROPERTY ADJACENT TO RIGHT OF WAY.
*6. WHEN SADDLE IS REQUIRED SEE MATERIAL NOTE F.
7. ALL TAPS SHALL BE MADE USING MUELLER STYLE TAPPING MACHINE, OR APPROVED EQUAL.

DRAWN: K.A.E.			City of Oregon City Public Works Standard Drawings	SCALE N.T.S.
ENGR. A.F.G.				DATE APRIL 2018
REV.	DATE	APPR.	STANDARD 1" WATER SERVICE	APPR.
1	8/18	AFG		
2	3/19	AFG		DRAWING NO. 402

2 STANDARD 1" WATER SERVICE DETAIL
SCALE: NTS

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

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111 SW Fifth Ave., Suite 2400
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com

REGISTERED PROFESSIONAL ENGINEER 79775 OREGON DEC. 31, 2011 DANA F. J. DONNELLY
EXPIRATION DATE: 12/31/2019

JOB No.:	1800304
DESIGNED BY:	XXX
DRAWN BY:	XXX
CHECKED BY:	DD
DATE:	
PLOTTED BY:	JYun
DWG NAME:	
TAB NAME:	C5.1

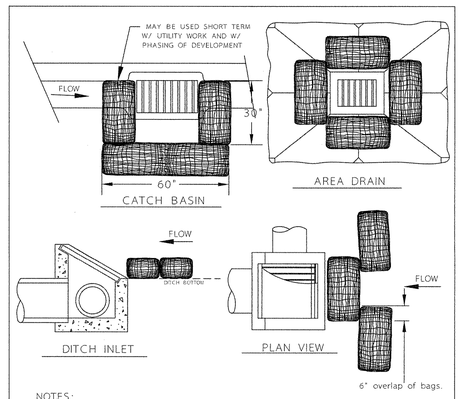
1034 Molalla Avenue Oregon City, OR 97045

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

DETAILS

SHEET NO. C5.1
SHEET 7 OF 12
RECORD NO. 1700123–XX

File: \\ordata\Civil-Projects\Up\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C5.0 - DETAILS.dwg TAB: C5.1
30x42 Plot date: 7/29/19 at 10:40am By: JYun

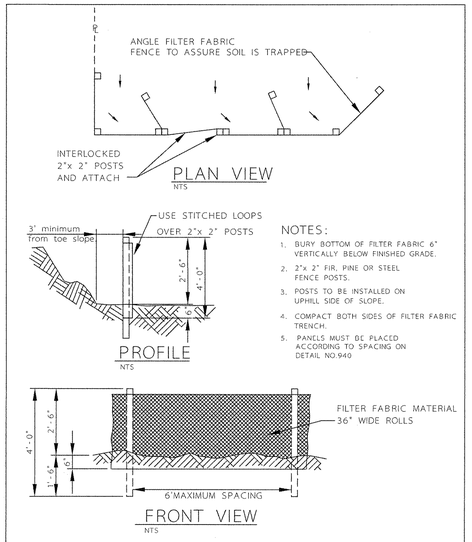


NOTES:
1. ADDITIONAL MEASURES MUST BE CONSIDERED DEPENDING ON SOIL TYPES.
2. BIO-FILTER BAGS SHOULD BE STAKED WHERE APPLICABLE USING (2) 1"x2"WOODEN STAKES OR APPROVED EQUAL PER BAG.
3. WHEN USING 30" BIO-BAGS TO PROTECT A CATCH BASIN YOU MUST HAVE 4 BAGS AND THEY SHALL BE OVERLAPPED BY 6".

INLET PROTECTION TYPE 4

DETAIL DRAWING 4-18 REVISED 01-09

3 COC INLET PROTECTION DETAIL
SCALE: NTS

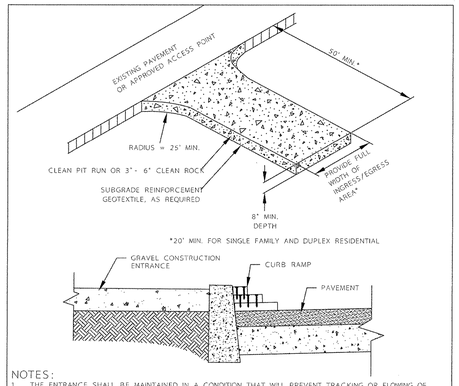


NOTES:
1. BURY BOTTOM OF FILTER FABRIC 6" VERTICALLY BELOW FINISHED GRADE.
2. 2"x 2" FIR, PINE OR STEEL FENCE POSTS.
3. POSTS TO BE INSTALLED ON UPHILL SIDE OF SLOPE.
4. COMPACT BOTH SIDES OF FILTER FABRIC TRENCH.
5. PANELS MUST BE PLACED ACCORDING TO SPACING ON DETAIL NO.940

SEDIMENT FENCE

DETAIL DRAWING 4-23 REVISED 01-09

1 COC SEDIMENT FENCE DETAIL
SCALE: NTS



NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
4. WHERE RUNOFF CONTAINING SEDIMENT LADEN WATER IS LEAVING THE SITE VIA THE CONSTRUCTION ENTRANCE, OTHER MEASURES SHALL BE IMPLEMENTED TO DIVERT RUNOFF THROUGH AN APPROVED FILTERING SYSTEM.
5. DIMENSIONS
   SINGLE FAMILY
   20' LONG BY 20' WIDE 8" DEEP OF ¾" MINUS CLEAN ROCK.
   COMMERCIAL
   50' LONG BY 20' WIDE 3-6" CLEAN ROCK.
   GOVERNING AUTHORITY MAY REQUIRE GEOTEXTILE FABRIC TO PREVENT SUB-SOIL PUMPING.

CONSTRUCTION ENTRANCE

DETAIL DRAWING 4-13 REVISED 01-09

2 COC CONSTRUCTION ENTRANCE DETAIL
SCALE: NTS

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

SCALE 1 INCH = 10 FEET
10 0 10 20

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REGISTERED PROFESSIONAL ENGINEER 79778 OREGON DEC. 31, 2011 DAAN F.J. DONKERS
EXPIRATION DATE: 12/31/ 2012

JOB No.:	1800304
DESIGNED BY:	XXX
DRAWN BY:	XXX
CHECKED BY:	DD
DATE:	
PLOTTED BY:	JYun
DWG NAME:	
TAB NAME:	C6.1

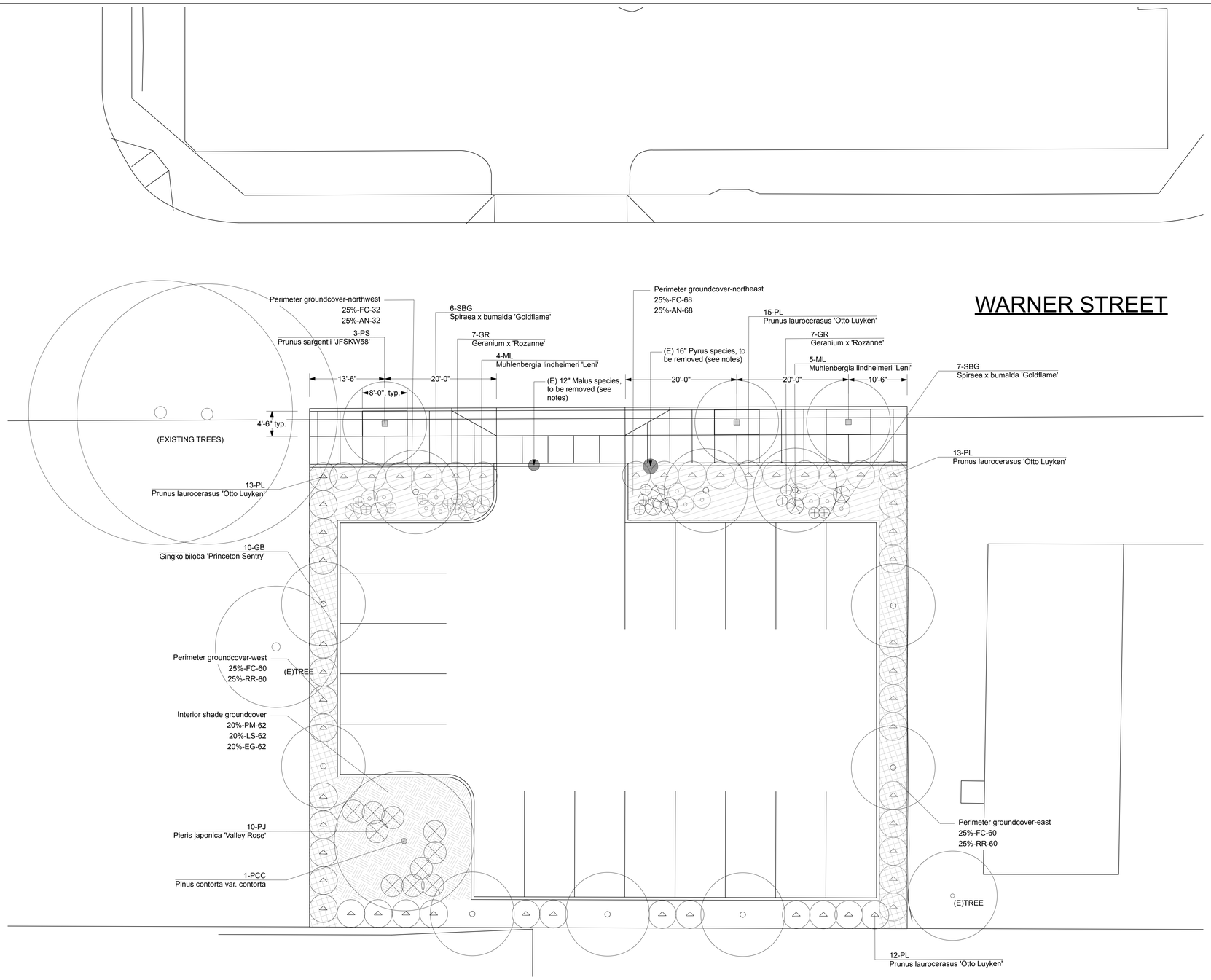
1034 Molalla Avenue Oregon City, OR 97045

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

EROSION AND SEDIMENT CONTROL DETAILS

SHEET NO.
C6.1
SHEET 9 OF 12
RECORD NO.
1700123-XX

File: \\civil\pdx1\Civil-Projects\cip\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C6.0 - EROSION AND SEDIMENT CONTROL PLAN.dwg TAB:C6.1
30x42 Plotted: 7/30/19 at 10:46am By: JYun



PLANT SCHEDULE

ID	Qty	Latin Name	Common Name	Scheduled Size	Remarks
AN	101	Arctostaphylos nummularia 'Select Form'	Glossy leaved Manzanita	4" pot	16" o.c.
EG	62	Epimedium grandiflorum 'Pierre's Purple'	Bishop's Hat	1 gallon	16" o.c.
FC	220	Fragaria x. chiloensis	Beach strawberry	4" pot or flat	16" o.c.
GB	10	Gingko biloba 'Princeton Sentry'	'Princeton Sentry' Gingko	2" caliper, min.	
GR	14	Geranium x 'Rozanne'	Rozanne Cranesbill	1 gallon	2' o.c.
LS	62	Luzula sylvatica 'Marginata'	Greater Wood Rush	1 gallon	16" o.c.
ML	9	Muhlenbergia lindheimeri 'Leni'	'Autumn Glow' Muhly	1 gallon	3' o.c.
PCC	1	Pinus contorta var. contorta	Shore Pine	4" caliper, min.	
PJ	10	Pieris japonica 'Valley Rose'	Valley Rose Lily Of The Valley	3 gallon, min.	4' o.c.
PL	53	Prunus laurocerasus 'Otto Luyken'	Otto Luyken English Laurel	3 gallon, min.	4' o.c.
PM	62	Polystichum munitum	Western Sword Fern	1 gallon	16" o.c.
PS	3	Prunus sargentii 'JFSKW58'	Pink Flair Cherry	2" caliper, min.	
RR	120	Rubus rolfei 'Emerald Carpet'	Creeping raspberry	4" pot or flat	16" o.c.
SBG	13	Spiraea x bumalda 'Goldflame'	Goldflame Spirea	2 gallon, min.	3' o.c.

N

SCALE: 1/8"=1'-0"

GENERAL NOTES

1. REFER TO SOIL PREPARATION SPECIFICATIONS FOR INFORMATION REGARDING SITE AND SOIL PREPARATION (INCLUDING TOPSOIL, AMENDMENTS, AND MULCH APPPLICATION)
2. A PLANT SCHEDULE IS PROVIDED. IF PLANTS SPECIFIED CANNOT BE FOUND, CONTACT LANDSCAPE ARCHITECT (LA) OR OWNER'S REPRESENTATIVE FOR APPROVAL OF SUBSTITUTION
3. CONTRACTOR TO CONTACT LA AT LEAST (3) DAYS PRIOR TO PLANT DELIVERY
4. LANDSCAPE CONTRACTOR TO VERIFY PLANT MATERIAL QUANTITIES
5. LA OR OWNER'S REPRSENTATIVE TO APPROVE PLANTS ONCE DELIVERED
6. PLANT LAYOUT IS APPROXIMATE AND MAY NEED TO BE ADJUSTED IN FIELD AS REQUIRED. LC TO LAYOUT PLANTS AS INDICATED ON PLANTING PLAN FOR LANDSCAPE ARCHITECT'S OR OWNER REPRESENTATIVE'S APPROVAL PRIOR TO PLANTING.
7. B&B STOCK MAY BE SUBSTITUTED WITH CONTAINER STOCK OF EQUAL GRADE
8. CONTAINER STOCK MAY BE SUBSTITUTED WITH B&B STOCK OF EQUAL GRADE
9. PLANT MATERIAL SHALL CONFORM WITH AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1,LATEST EDITION
10. ALL TREES SHALL BE BRANCHED
11. MULCH ALL PLANTING BEDS WITH 3" MIN. LAYER OF SPECIFIED MULCH
12. IN THE EVENT OF A DISCREPANCY BETWEEN THIS MATERIAL LISTING AND THE DRAWINGS, THE DRAWINGS SHALL GOVERN THE PLANT SPECIES AND QUANTITIES REQUIRED
13. IN THE EVENT OF A LACK OF CLARITY ON DRAWINGS, LANDSCAPE CONTRACTOR IS TO CALL LA BEFORE PROCEEDING
14. LANDSCAPE CONTRACTOR WILL PROVIDE A ONE-YEAR WARRANTY ON ALL PROVIDED AND INSTALLED PLANTER MATERIAL FROM DATE OF INSTALLATION
15. ALL DECIDUOUS TREES 2" CALIPER MINIMUM. SINGLE EVERGREEN TREE TO BE 4" CALIPER MINIMUM
16. ALL GROUNDCOVER TO BE SPACED MAXIMUM 16" O.C.
17. ALL SHRUBS TO BE SPACED MAXIMUM 4' O.C.
18. ALL TREES TO BE NO MORE THAN 35' APART
19. ALL PLANTING BEDS TO HAVE A MINIMUM OF 18" TOPSOIL. RE-USE OF EXISTING TOPSOIL IS RECOMMENDED BUT MUST MEET SPECIFICATIONS
20. LANDSCAPE CONTRACTOR SHALL PROVIDE A ONE-YEAR WARRANTY ON ALL PROVIDED AND INSTALLED PLANT MATERIAL FROM DATE OF FINAL APPROVAL BY OWNER'S REPRESENTATIVE.
21. TWO EXISTING TREES ON SITE TO BE REMOVED DUE TO POOR CONDITION. SEE ACCOMPANYING ARBORIST REPORT (JUSTIN KEANE, CERTIFIED ARBORIST # 1551, ROOTS AND SHOOTS LLC, 3/26/19)
22. CONTRACTOR TO TAKE APPROPRIATE PRECAUTIONS AS NECESSARY TO PROTECT TREES OFF SITE WHICH MAY BE AFFECTED BY CONSTRUCTION. THIS MAY INCLUDE BUT IS NOT LIMITED TO MEASURES TO PROTECT ENTIRE AREA WITHIN DRIPLINE, INCLUDING APPROVED CONSTRUCTION FENCING AND SIGNS.
23. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING A COPY OF PROJECT SPECIFICATIONS PRIOR TO BIDDING. THE PROJECT SPECIFICATIONS FOR SOIL PREPARATION AND TREES, PLANTS AND GROUNDCOVERS ARE A PART OF THESE PLANS AND SHALL BE CONSULTED BY THE LANDSCAPE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING WORK AS SPECIFIED IN THE PROJECT SPECIFICATIONS AND PLANS.
24. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY RELEVANT INSTALLATION SPECIFICATIONS REQUIRED BY OREGON CITY AND WILL NOTIFY LA OR PROJECT REPRESENTATIVE IF THESE CONFLICT WITH THESE DRAWINGS AND SPECIFICATIONS.

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY
1	6.3.19	ADDITION: NOTE #24 REGARDING OREGON CITY INSTALLATION SPECIFICATIONS	RK				
1	7.29.19	CHANGES TO CONFIGURATION OF PLANTED AREAS, PLANT TYPES AND QTY	RK				

30x42

REGISTERED 650 ROSE BRADY KEANE OREGON 12 / 14 / 07 LANDSCAPE ARCHITECT

rbkla
Rose Brady Keane Landscape Architecture
1921 NW Kearney Street Portland, OR 97209
(503) 936-6865 rose@rbkla.com

kpff
111 SW Fifth Ave., Suite 2400
Portland, OR 97204
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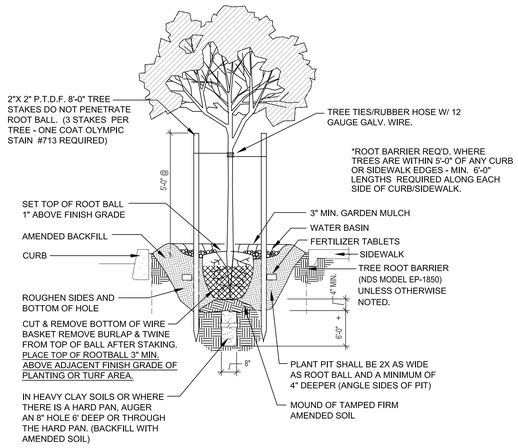
JOB No.:	1902
DESIGNED BY:	RK
DRAWN BY:	RK
CHECKED BY:	RK
DATE:	03/19/19
PLOTTED BY:	RK
DWG NAME:	190729MVH-L.1
TAB NAME:	

Client Address

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

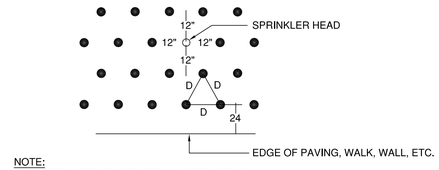
PLANTING PLAN
AND NOTES

SHEET NO.
L1.0
SHEET 1 OF 3
RECORD NO.
1700123-

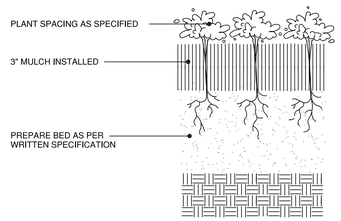


TREE PLANTING DETAIL

N.T.S.

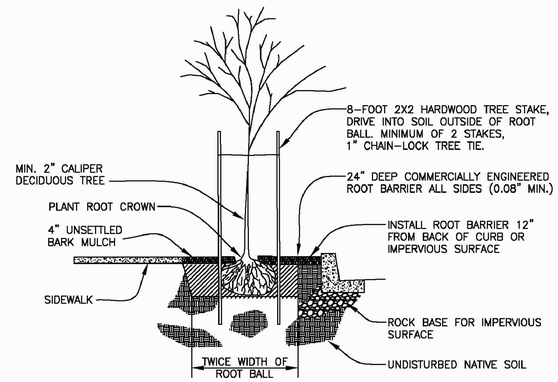


NOTE:
LOCATE PLANTS SPACED EQUAL DISTANCE (D) FROM EACH OTHER AS SPECIFIED AND MINIMUM OF 12" FROM SPRINKLER HEAD



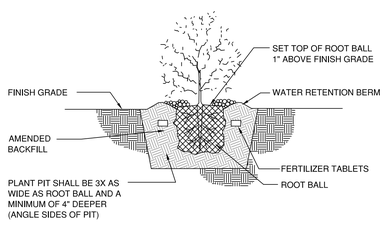
GROUNDCOVER PLANTING DETAIL

N.T.S.



NOTES

1. REMOVE EXCESS SOIL TO EXPOSE ROOT FLARE AND TO ENSURE TOP MOST ROOT IS NO MORE THAN 1-INCH BELOW ROOT BALL SURFACE. SEVER CIRCLING ROOTS WHERE APPROPRIATE. SET TOPMOST ROOT 2 INCHES ABOVE ADJACENT FINISHED GRADE. TRUNK FLARE SHALL BE VISIBLE.
2. CUT AND REMOVE WIRE BASKETS FROM SIDES OF ROOT BALL WITHOUT DEFORMING BALL. CUT OFF AND REMOVE BURLAP AND ROPE FROM TOP HALF OF ROOT BALL. COMPLETELY REMOVE SYNTHETIC ROPE AND NON-BIODEGRADABLE BURLAP.



SHRUB PLANTING DETAIL

N.T.S.

DRAWN	JRF		City of Oregon City Public Works Standard Drawings	SCALE	N.T.S.
ENGR.	NJK			DATE	APRIL 2012
REV.	DATE	APPR.	STREET TREE PLANTING IN PLANTER STRIP	APPR.	NJK
				DWG. NO.	530

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY
1	7/25/2019	DESIGN CHANGE	TM				

REGISTERED 540 TROY A. MEARS OREGON 11/21/2003 LANDSCAPE ARCHITECT

MEARS DESIGN GROUP, INC.
IRRIGATION DESIGN & CONSULTING
PO BOX 23338 | PORTLAND, OREGON | 97281
PHONE: 503.601.4516 | FAX: 503.924.4688

kpff
111 SW Fifth Ave., Suite 2400
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com

JOB No.:	1907
DESIGNED BY:	TM
DRAWN BY:	TM
CHECKED BY:	TM
DATE:	03/19/19
PLOTTED BY:	TM
DWG NAME:	MVH_IRR1.dwg
TAB NAME:	PLANT

Client Address

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

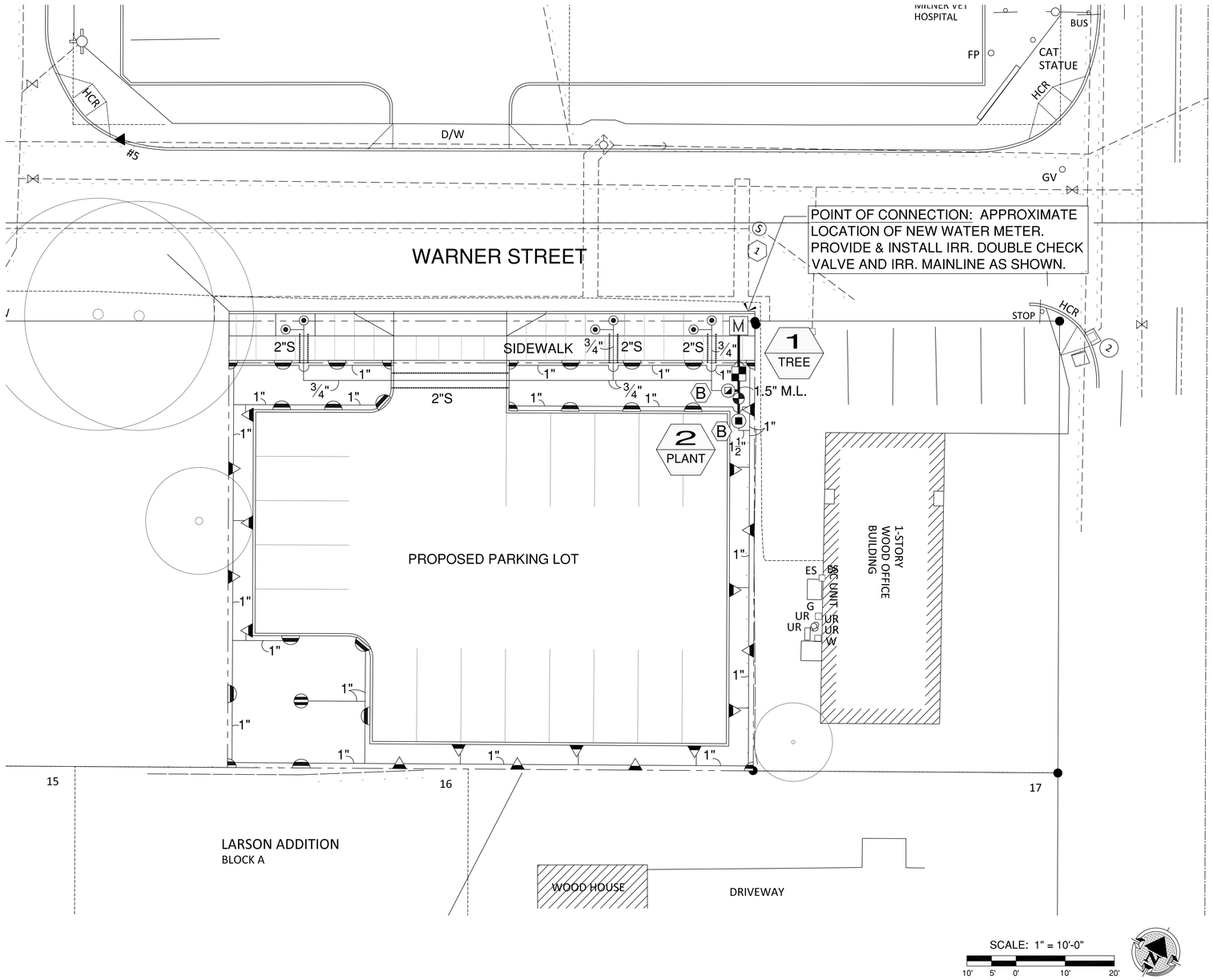
PLANTING DETAILS

SHEET NO. L1.1

SHEET 2 OF 3

RECORD NO. 1700123-

File: D:\DWGS\2019\Milner Vet Hospital\MVH_IRR1.dwg TAB:PLANT
30x42 Plotted: 7/25/19 @ 1:48pm By: mears



GENERAL KEY

SYM.	DESCRIPTION
2"S	CLASS 200 PVC SLEEVE - SIZE AS NOTED
1½" M.L.	SCH. 40 PVC IRRIGATION MAINLINE - SIZE AS NOTED - REFER TO DETAIL C/I1.1
1"	SCH. 40 PVC LATERALS - SIZE AS NOTED - REFER TO DETAIL C/L1.2
	HUNTER 3/4" QUICK COUPLER VALVE - HQ33D - REFER TO DETAIL D/L1.2
	HUNTER PGV SERIES ELECTRICAL CONTROL VALVE - (REFER TO VALVE KEY FOR SIZING AND DETAIL B/L1.2)
	HUNTER ICZ-101-LF DRIP CONTROL ZONE KIT - REFER TO VALVE KEY FOR SIZE & DETAIL E/L1.2
2 VALVE	CONTROL VALVE NUMBER - REFER TO VALVE KEY
B	HUNTER (NODE-200) BATTERY OPERATED CONTROLLER - REFER TO DETAIL B/L1.2
M	NEW 3/4" WATER METER - VERIFY FINAL LOCATION WITH OWNER
	3/4" DOUBLE CHECK BACKFLOW PREVENTER - SEE DETAIL A/L1.2

HEAD NOZZLE KEY

REFER TO DETAIL C/L1.2

HEAD	COMPANY & CAT. NO.	RADIUS	G.P.M.	P.S.I.
360° 90°-210°	HUNTER MP1000 ROTATOR	8'-13'	.21-.84	40
	HUNTER MP SIDE STRIP	STRIP	.44	40
	HUNTER MP LEFT OR RIGHT STRIP	STRIP	.22	40
	HUNTER ROOT ZONE WATER SYSTEM	BUBBLER	.25	40

VALVE KEY

CONTROL VALVE NO. (P=PLANT, TR=TREE WELL)	1 TR	2 P										
G.P.M.	1.5	16.1										
CONTROL VALVE SIZE	1.0	1.0										

DESIGN CRITERIA

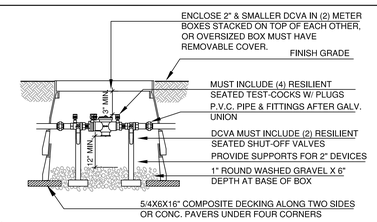
THE DESIGN OF THE IRRIGATION SYSTEM IS BASED ON 55 P.S.I. @ 18 G.P.M.

ALL PRODUCTS/MATERIALS ARE TO BE AS IDENTIFIED ON APPROVED PLANS AND SPECIFICATIONS. NO PRODUCT/MATERIAL SUBSTITUTIONS UNLESS APPROVED BY OWNER OR IRRIGATION SYSTEM DESIGNER DURING BIDDING PHASE.

GENERAL NOTES

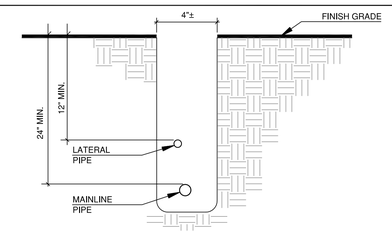
1. CONTRACTOR REQUIRED TO VERIFY EXISTING IRRIGATION SYSTEM WATER SOURCE RUNNING PRIOR TO STARTING WORK. POINT OF CONNECTION AS SHOWN ON DRAWINGS IS APPROXIMATE LOCATION. ANY DEVIATION FROM PLANS ARE REQUIRED TO BE APPROVED BY LANDSCAPE ARCHITECT AND/OR OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
2. HOLD HEADS A MIN. 3" FROM EDGES OF ALL HARD SURFACES & 6" MIN. FROM FOUNDATION OF BLDG. WALLS.
3. HUNTER SPRINKLER BODIES TO BE PROS-06-PRS40-CV (W/ MP ROTATOR NOZZLES). REFER TO DETAIL C/L1.2.
4. HUNTER ROOT ZONE WATER SYSTEM TO BE RZWS-18-25-CV. REFER TO DETAIL F/L1.2
5. ADJUST MP ROTATOR NOZZLES TO MEET REQUIRED HEAD-TO-COVERAGE AND ARC TO MATCH LANDSCAPE.
6. INSTALL VALVE BOXES PERPENDICULAR TO WALLS, WALKS, AND CURBS.
7. INSTALL PIPING IN TRENCH WHERE POSSIBLE (6" MIN. SEPARATION REQUIRED).
8. PLACE (1) ONE VALVE PER STANDARD VALVE BOX.
9. WHERE Q.C.V. ARE SHOWN ADJACENT TO CONTROL VALVE, INSTALL IN VALVE BOX WITH CONTROL VALVE.
10. THE IRRIGATION CONTRACTOR IS RESPONSIBLE FOR OBTAINING A COPY OF PROJECT SPECIFICATIONS PRIOR TO BIDDING. THE PROJECT SPECIFICATIONS ARE A PART OF THESE PLANS AND SHALL BE CONSULTED BY THE IRRIGATION CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING WORK AS SPECIFIED IN THE PROJECT SPECIFICATIONS AND ON PLANS.
11. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, EQUIPMENT QUANTITIES AND UTILITY LOCATIONS PRIOR TO BEGINNING OR CONTINUING WORK.
12. CONTRACTOR SHALL NOTIFY IRRIGATION DESIGNER OF ANY DISCREPANCIES ON PLANS OR SPECIFICATIONS PRIOR TO BEGINNING OR CONTINUING WORK.
13. IRRIGATION CONTRACTOR SHALL MAKE NO SUBSTITUTIONS, DELETIONS OR ADDITIONS TO DESIGN WITHOUT PRIOR APPROVAL FROM IRRIGATION DESIGNER.
14. ALL CONSTRUCTION SHALL CONFORM TO CITY, COUNTY, STATE AND FEDERAL REQUIREMENTS. IT SHALL BE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO ENSURE THAT ALL IRRIGATION EQUIPMENT MEETS GOVERNMENT REGULATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS OR APPROVALS.
15. THIS PLAN IS SCHEMATIC DUE TO THE NATURE OF CONSTRUCTION SLIGHT FIELD MODIFICATIONS MAY BE NECESSARY TO IMPLEMENT PLAN.
16. IRRIGATION CONTRACTOR TO VERIFY ACTUAL AVAILABLE WATER PRESSURE PRIOR TO BEGINNING INSTALLATION. CONTRACTOR SHALL NOTIFY IRRIGATION DESIGNER IF AVAILABLE WATER PRESSURE EXCEEDS 5 P.S.I. HIGHER OR LOWER THAN AVAILABLE WATER PRESSURE IS INDICATED ON PLANS.
17. SINGLE BLUE TRACE WIRE REQUIRED ON TOP OF ALL IRRIGATION PIPING (MAINLINE & LATERALS).
18. PLACE CONTROL WIRE 3" TO 6" AWAY FROM IRRIGATION MAIN LINE.
19. IRRIGATION CONTRACTOR TO REVIEW ALL IRRIGATION ZONES WITH OWNER'S REPRESENTATIVE UPON INSTALLATION COMPLETION.

IRRIGATION DETAILS



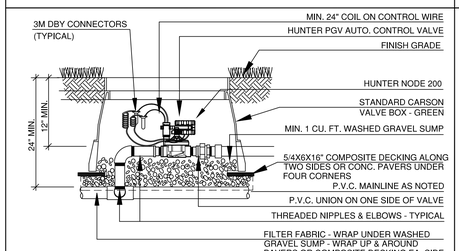
A / L1.2 DOUBLE CHECK BACKFLOW PREVENTER DETAIL

INSTALL TO LOCAL CODE REQUIREMENTS — NTS



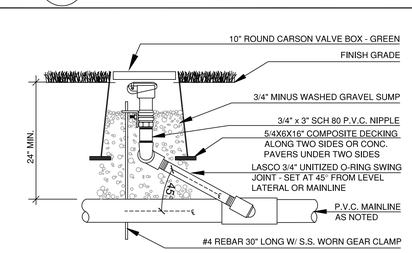
C / L1.2 TRENCH DETAIL

NTS



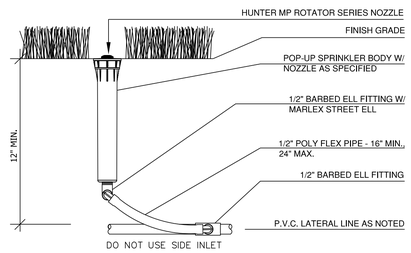
B / L1.2 CONTROL VALVE & BOX DETAIL

NTS



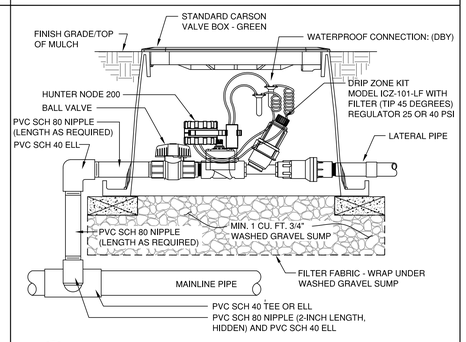
D / L1.2 QUICK-COUPLING VALVE DETAIL (3/4")

NTS



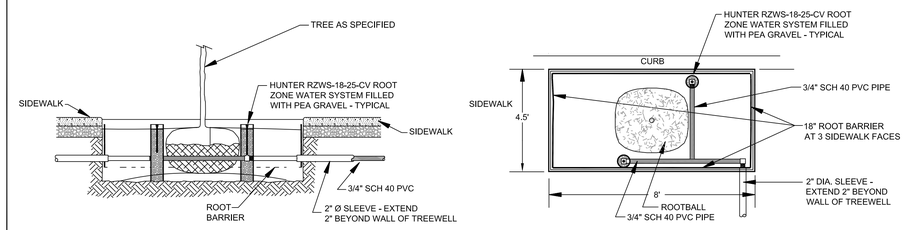
C / L1.2 MP ROTATOR SPRINKLER DETAIL

HUNTER PROS-06-PRS40-CV — NTS



E / L1.2 DRIP CONTROL ZONE KIT

• ICZ-101-LF - REQUIRED FOR (.5 TO 15 GPM) — NTS



F / L1.2 TREE WELL DETAIL

(HUNTER RZWS-18-25-CV) — NTS

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY
1	7/25/2019	DESIGN CHANGE	TM				

REGISTERED 540 TROY A. MEARS OREGON 11/21/2003 LANDSCAPE ARCHITECT

MEARS DESIGN GROUP, LLC
IRRIGATION DESIGN & CONSULTING
PO BOX 23338 | PORTLAND, OREGON | 97281
PHONE: 503.601.4516 | FAX: 503.924.4688

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111 SW Fifth Ave., Suite 2400
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com

JOB No.:	1907
DESIGNED BY:	TM
DRAWN BY:	TM
CHECKED BY:	TM
DATE:	03/19/19
PLOTTED BY:	TM
DWG NAME:	MVH_IRR1.dwg
TAB NAME:	IRR

Client Address

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

IRRIGATION PLAN, DETAILS AND NOTES

SHEET NO. L1.2

SHEET 3 OF 3

RECORD NO. 1700123--

File: I:\DWGS\2019\Milner Vet Hospital\MVH_IRR1.dwg TAB:IRR
36x42 Plotted: 7/25/19 at 1:47pm By: mears

TYPE II –SITE PLAN AND DESIGN REVIEW
Applicant's Submittal
Date

APPLICANT:	Steve Milner 1034 Molalla Avenue Oregon City, Oregon
OWNER:	Steve Milner 1034 Molalla Avenue Oregon City, Oregon
REQUEST:	Construction of small parking lot (18 stalls on vacant lot)
LOCATION:	140 Warner Street Clackamas County Map 3-2E-05BC, Tax Lot 3600

I. BACKGROUND:

1. Existing Conditions

2. Project Description

II. RESPONSES TO THE OREGON CITY MUNICIPAL CODE:

CHAPTER 17.62 SITE PLAN AND DESIGN REVIEW

17.62.015 - Modifications that will better meet design review requirements.
The review body may consider modification of site-related development standards. These modifications are done as part of design review and are not required to go through the Variance process pursuant to section 17.60.020. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the Variance process pursuant to section 17.60.020. Modifications that are denied through design review may be requested as Variance through the Variance process pursuant to section 17.60.020. The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:
Applicant's Response:

A. The modification will result in a development that better meets design guidelines; and
Applicant's Response: N/A

B. The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.
Applicant's Response: N/A

17.62.030 - When required.

Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6, R-5 and R-3.5 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cottage housing development, multi-family and non-residential uses in all zones. No building permit or other permit authorization for development shall be issued prior to site plan and design review approval. Parking lots and parking areas accessory to uses regulated by this chapter also shall require site plan and design review approval. Site plan and design review shall not alter the type and category of uses permitted in zoning districts.
Applicant's Response: A site plan has been submitted as part of the design review.

17.62.035 - Minor site plan and design review.
Applicant's Response: A site plan has been submitted as part of the design review.

17.62.040 - Plans required.
A complete application for site plan and design review shall be submitted. Except as otherwise in subsection I of this section, the application shall include the following plans and information:
A. A site plan or plans, to scale, containing the following:
1. Vicinity information showing streets and access points, pedestrian and bicycle pathways, transit stops and utility locations;
2. The site size, dimensions, and zoning, including dimensions and gross area of each lot or parcel and tax lot and assessor map designations for the proposed site and immediately adjoining properties;
3. Contour lines at two-foot contour intervals for grades zero to ten percent, and five-foot intervals for grades over ten percent;
4. The location of natural hazard areas on and within one hundred feet of the boundaries of the site, including:
a. Areas indicated on floodplain maps as being within the one hundred-year floodplain,
b. Unstable slopes, as defined in Section 17.44.020,
c. Areas identified on the seismic conditions map in the comprehensive plan as subject to earthquake and seismic conditions;
5. The location of natural resource areas on and within one hundred feet of the boundaries of the site, including fish and wildlife habitat, existing trees (six inches or greater in caliper measured four feet above ground level), wetlands, streams, natural areas, wooded areas, areas of significant trees or vegetation, and areas designated as being within the natural resources overlay district;
6. The location of inventoried historic or cultural resources on and within one hundred feet of the boundaries of the site;
7. The location, dimensions, and setback distances of all existing permanent structures, improvements and utilities on or within twenty-five feet of the site, and the current or proposed uses of the structures;
8. The location, dimensions, square footage, building orientation and setback distances of proposed structures, improvements and utilities, and the proposed uses of the structures by square footage;
9. The location, dimension and names, as appropriate, of all existing and platted streets, other public ways, sidewalks, bike routes and bikeways, pedestrian/bicycle accessways and other pedestrian and bicycle ways, transit street and facilities, neighborhood activity centers, and easements on and within two hundred fifty feet of the boundaries of the site;
10. The location, dimension and names, as appropriate, of all proposed streets, other public ways, sidewalks, bike routes and bikeways, pedestrian/bicycle accessways and other pedestrian and bicycle ways, transit streets and facilities, neighborhood activity centers, and easements on and within two hundred fifty feet of the boundaries of the site;
11. All parking, circulation, loading and servicing areas, including the locations of all carpool, vanpool and bicycle parking spaces as required in Chapter 52 of this title;
12. Site access points for automobiles, pedestrians, bicycles and transit;
13. On-site pedestrian and bicycle circulation;
14. Outdoor common areas proposed as open space;
15. Total impervious surface created (including buildings and hard ground surfaces).
16. The proposed location, dimensions and materials of fences and walls.
B. A landscaping plan, drawn to scale, showing the location and types of existing trees (six inches or greater in caliper measured four feet above ground level) and vegetation proposed to be removed and to be retained on the

site, the location and design of landscaped areas, the varieties, sizes and spacings of trees and plant materials to be planted on the site, other pertinent landscape features, and irrigation systems required to maintain plant materials.
C. Architectural drawings or sketches, drawn to scale and showing floor plans, elevations accurately reflected to grade, and exterior materials of all proposed structures and other improvements as they will appear on completion of construction.
D. A materials board, no larger size than eleven inches by seventeen inches clearly depicting all building materials with specifications as to type, color and texture of exterior materials of proposed structures. An electronic version may be accepted as an alternative if approved by the community development director.
E. An erosion/sedimentation control plan, in accordance with the requirements of Chapter 17.47 and the Public Works Erosion and Sediment Control Standards, and a drainage plan developed in accordance with city drainage master plan requirements, Chapter 13.12 and the Public Works Stormwater and Grading Design Standards. The drainage plan shall identify the location of drainage patterns and drainage courses on and within one hundred feet of the boundaries of the site. Where development is proposed within an identified hazard area, these plans shall reflect concerns identified in the hydrological/geological/geotechnical development impact statement.
F. The legal description of the site.
G. An exterior lighting plan, drawn to scale, showing type, height, and area of illumination.
H. Archeological Monitoring Recommendation. For all projects that will involve ground disturbance, the applicant shall provide:
1. A letter or email from the Oregon State Historic Preservation Office Archaeological Division indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the Oregon State Historic Preservation Office and that the Oregon State Historic Preservation Office had not commented within forty-five days of notification by the applicant; and
2. A letter or email from the applicable tribal cultural resource representative of the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the applicable tribal cultural resource representative and that the applicable tribal cultural resource representative had not commented within forty-five days of notification by the applicant.
If, after forty-five days notice from the applicant, the Oregon State Historic Preservation Office or the applicable tribal cultural resource representative fails to provide comment, the city will not require the letter or email as part of the completeness review. For the purpose of this section, ground disturbance is defined as the movement of native soils.
I. Such special studies or reports as the community development director may require to obtain information to ensure that the proposed development does not adversely affect the surrounding community or identified natural resource areas or create hazardous conditions for persons or improvements on the site. The community development director shall require an applicant to submit one or more development impact statements, as described in Section 16.12.050, upon determination that (1) there is a reasonable likelihood that traffic safety or capacity improvements may be required; (2) the proposal could have significant adverse impacts on identified natural resource areas, including areas designated as being within the natural resources overlay district; or (3) the proposal would be located on or could have significant adverse impacts on natural hazard areas, including the geologic hazard and flood plain overlay districts. The community development director shall determine which types of development impact statements are necessary and provide written reasons for requiring the statement(s). The development impact statements shall include the information described in Sections 16.12.070, 16.12.080, and 16.12.120 [and this Section] 17.62.040.
J. The community development director may waive the submission of information for specific requirements of this section or may require information in addition to that required by a specific provision of this section, as follows:
1. The community development director may waive the submission of information for a specific requirement upon determination either that specific information is not necessary to evaluate the application properly, or that a specific approval standard is not applicable to the application. If submission of information is waived, the community development director shall, in the decision, identify the waived requirements, explain the reasons for the waiver, and state that the waiver may be challenged on appeal and may be denied by a subsequent review authority. If the matter is forwarded to the planning commission for initial review, the information required by this paragraph shall be included in the staff report;
2. The community development director may require information in addition to that required by a specific provision of this section upon determination that the information is needed to evaluate the application properly and that the

need can be justified on the basis of a special or unforeseen circumstance. If additional information is required, the community development director shall, in the decision, explain the reasons for requiring the additional information.
K. If the applicant has not already done so as some other part of the land use review process, the applicant shall submit an erosion control plan that complies with the applicable requirements of Chapter 17.74 of this code.
Applicant's Response: Erosion Control Plans will be included in the submittal, sheet C6.0 and C6.1

17.62.050 - Standards.
A. All development shall comply with the following standards:
1. Landscaping, A minimum of fifteen percent of the lot shall be landscaped. Existing native vegetation shall be retained to the maximum extent practicable. All plants listed on the Oregon City Nuisance Plant List shall be removed from the site prior to issuance of a final occupancy permit for the building.
Applicant's Response: **There is no native vegetation on site. Any existing plants, including those from the Oregon City Nuisance Plant List shall be removed prior to construction. The site is 9326 SF, and the landscaped area is approximately 2500 SF, over 26% of the site. Of this, the perimeter landscaping comprises 1600 SF or 17%, and the interior landscaping comprises 890 SF-over 9%.**

a. Except as allowed elsewhere in the zoning and land division chapters of this Code, all areas to be credited towards landscaping must be installed with growing plant materials. A reduction of up to twenty-five percent of the overall required landscaping may be approved by the community development director if the same or greater amount of pervious material is incorporated in the non-parking lot portion of the site plan (pervious material within parking lots are regulated in OCMC 17.52.070).
Applicant's Response: Landscaped areas shown include plant materials and comply with the Oregon City code specifications for size and spacing for trees, shrubs and groundcovers.

b. Pursuant to Chapter 17.49, landscaping requirements within the Natural Resource Overlay District, other than landscaping required for parking lots, may be met by preserving, restoring and permanently protecting native vegetation and habitat on development sites.
Applicant's Response: N/A

c. The landscaping plan shall be prepared by a registered landscape architect and include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.) that within three years will cover one hundred percent of the Landscape area. No mulch, bark chips, or similar materials shall be allowed at the time of landscape installation except under the canopy of shrubs and within two feet of the base of trees. The community development department shall maintain a list of trees, shrubs and vegetation acceptable for landscaping.
Applicant's Response: Landscape plan was prepared by a licensed landscape architect. Landscaped areas shown include plant materials and comply with the Oregon City code specifications for size, type and spacing for trees, shrubs and groundcovers. Plant material should cover one hundred percent of landscape area within three years. Mulch will be applied only under the canopy of shrubs and within two feet of the base of trees. The plant list includes plants from the Oregon City Street Tree List and the Oregon City Native Plant List.

d. For properties within the Downtown Design District, or for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the ten percent requirement.
Applicant's Response: N/A, project outside the zone.

e. Landscaping shall be visible from public thoroughfares to the extent practicable.
Applicant's Response: Three street trees along Warner should be visible from Warner and Molalla Avenue. North perimeter planting including trees, shrubs and groundcover should also be visible from Warner Street and Molalla Avenue.

f. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum, unless otherwise permitted by the dimensional standards of the underlying zone district.
Applicant's Response: The site is 9326 SF, and the landscaped area is approximately 2500 SF, over 26% of the site. Of this, the perimeter landscaping comprises 1600 SF or 17%, and the interior landscaping comprises 890 SF.

2. Vehicular Access and Connectivity.
a. Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.
Applicant's Response: N/A Parking lot is not located near buildings

b. Ingress and egress locations on thoroughfares shall be located in the interest of public safety. Access for emergency services (fire and police) shall be provided.
Applicant's Response: Access meets standard city codes and is in line with driveway access across the street to provide a safe in and out and potential crossing of traffic to the adjacent lot across the street.

c. Alleys or vehicular access easements shall be provided in the following Districts: R-2, MUC-1, MUC-2, MUD and NC zones unless other permanent provisions for access to off-street parking and loading facilities are approved by the decision-maker. The corners of alley intersections shall have a radius of not less than ten feet.
Applicant's Response: N/A, no alleys or easements or this project

d. Sites abutting an alley shall be required to gain vehicular access from the alley unless deemed impracticable by the community development director.
Applicant's Response: N/A, no alleys or easements or this project

e. Where no alley access is available, the development shall be configured to allow only one driveway per frontage. On corner lots, the driveway(s) shall be located off of the side street (unless the side street is an arterial) and away from the street intersection. Shared driveways shall be required as needed to accomplish the requirements of this section. The location and design of pedestrian access from the sidewalk shall be emphasized so as to be clearly visible and distinguishable from the vehicular access to the site. Special landscaping, paving, lighting, and architectural treatments may be required to accomplish this requirement.
Applicant's Response: Project requires frontage improvements that meet City standards for driveway access and pedestrian access.

f. Driveways that are at least twenty-four feet wide shall align with existing or planned streets on adjacent sites.
Applicant's Response: Driveway is 23' wide but is in line with adjacent property driveway across the street.

g. Development shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable. Such easements shall be required in addition to applicable street dedications as required in Chapter 12.04.
Applicant's Response: No easements are required however additional ROW was dedicated to meet the future road standards.

h. Vehicle and pedestrian access easements may serve in lieu of streets when approved by the decision maker only where dedication of a street is deemed impracticable by the city.
Applicant's Response: ROW dedication has occurred to allow for street improvements, no easement required.

i. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.
Applicant's Response: ROW dedication has occurred to allow for street improvements, no easement required.

j. In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future.
Applicant's Response: N/A, no dead-end stub street in this project.

k. Parcels larger than three acres shall provide streets as required in Chapter 12.04. The streets shall connect with existing or planned streets adjacent to the site.
Applicant's Response: N/A, project site size is less than this requirement

l. Parking garage entries shall not dominate the streetscape. They shall be designed and situated to be ancillary to the use and architecture of the ground floor. This standard applies to both public garages and any individual private garages, whether they front on a street or private interior access road.
Applicant's Response N/A, no parking garage included in this project.

m. Buildings containing above-grade structured parking shall screen such parking areas with landscaping or landscaped berms, or incorporate contextual architectural elements that complement adjacent buildings or buildings in the area. Upper level parking garages shall use articulation or fenestration treatments that break up the massing of the garage and/or add visual interest.
Applicant's Response: N/A, no parking garage included in this project.

3. Building structures shall be complimentary to the surrounding area. All exterior surfaces shall present a finished appearance. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear facades or decking shall be prohibited.
a. Alterations, additions and new construction located within the McLoughlin Conservation District, Canemah National Register District, and the Downtown Design District and when abutting a designated Historic Landmark shall utilize materials and a design that incorporates the architecture of the subject building as well as the surrounding district or abutting Historic Landmark. Historic materials such as doors, windows and siding shall be retained or replaced with in kind materials unless the community development director determines that the materials cannot be retained and the new design and materials are compatible with the subject building, and District or Landmark. The community development director may utilize the Historic Review Board's Guidelines for New Constriction (2006) to develop findings to show compliance with this section.
b. In historic areas and where development could have a significant visual impact, the review authority may request the advisory opinions of appropriate experts designated by the community development director from the design fields of architecture, landscaping and urban planning. The applicant shall pay the costs associated with obtaining such independent professional advice; provided, however, that the review authority shall seek to minimize those costs to the extent practicable.
Applicant's Response: N/A, no building structures included in this project.

8. Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and street design standards. Upon application, the community development director may waive this requirement in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made.
Applicant's Response: Additional ROW dedication is required for the project to meet the future street standards and also requires the implementation of a new sidewalk along the project frontage, meeting city codes.

9. A well-marked, continuous and protected on-site pedestrian circulation system meeting the following standards shall be provided:
a. Pathways between all building entrances and the street are required. Pathways between the street and buildings fronting on the street shall be direct. Exceptions may be allowed by the director where steep slopes or protected natural resources prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.
Applicant's Response: No onsite sidewalks are required for this project aside from the public right of way sidewalk along the project frontage.

b. The pedestrian circulation system shall connect all main entrances on the site. For buildings fronting on the street, the sidewalk may be used to meet this standard. Pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required.
Applicant's Response: N/A, pedestrian circulation is met with new public sidewalk improvements along project frontage.

c. Elevated external stairways or walkways, that provide pedestrian access to multiple dwelling units located above the ground floor of any building are prohibited. The community development director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard.

Applicant's Response: N/A, no elevated external stairways or walkways included.

d. The pedestrian circulation system shall connect the main entrances of adjacent buildings on the same site.
Applicant's Response: N/A, no buildings on proposed project site.

e. The pedestrian circulation system shall connect the principal building entrance to those of buildings on adjacent commercial and residential sites where practicable. Walkway linkages to adjacent developments shall not be required within industrial developments or to industrial developments or to vacant industrially-zoned land.
Applicant's Response: N/A, no buildings on proposed project site.

f. On-site pedestrian walkways shall be hard surfaced, well drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be a minimum of seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the walkway shall be raised or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel. Pedestrian walkways that cross drive isles or other vehicular circulation areas shall utilize a change in textual material or height to alert the driver of the pedestrian crossing area.
Applicant's Response: N/A, no onsite pedestrian walkways needed.

10. There shall be provided adequate means to ensure continued maintenance and necessary normal replacement of private common facilities and areas, drainage ditches, streets and other ways, structures, recreational facilities, landscaping, fill and excavation areas, screening and fencing, groundcover, garbage storage areas and other facilities not subject to periodic maintenance by the city or other public agency.
Applicant's Response: The site is easily accessible and allows all onsite features to be maintained as necessary. There should be no hinderances.

13. All development shall maintain continuous compliance with applicable federal, state, and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference. Prior to issuance of a building permit, the community development director or building official may require submission of evidence demonstrating compliance with such standards and receipt of necessary permits. The review authority may regulate the hours of construction or operation to minimize adverse impacts on adjoining residences, businesses or neighborhoods. The emission of odorous gases or other matter in such quantity as to be readily detectable at any point beyond the property line of the use creating the odors or matter is prohibited.
Applicant's Response: The parking lot implements a permeable pavement system to provide water quality treatment and meet stormwater requirements. Additional vegetation and landscaping is added to help limit the impact of the parking lot as well.

14. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The city may require over sizing of facilities where necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the city for over sizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.
Applicant's Response: There is no need for sanitary sewer and water use is limited to irrigation A brand new water main has been installed along the project frontage.

15. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the

proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation. Compliance with [Chapter] 12.04, Streets, Sidewalks and Public Places shall be sufficient to achieve right-of-way and improvement adequacy.
Applicant's Response: Additional ROW dedication is required for the project to meet the future street standards and also requires the implementation of a new sidewalk along the project frontage, meeting city codes.

16. If a transit agency, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, accessible bus landing pad, lighting, or transit stop connection be constructed, or that an easement or dedication be provided for one of these uses, consistent with an agency adopted or approved plan at the time of development, the review authority shall require such improvement, using designs supportive of transit use. Improvements at a major transit stop may include intersection or mid-block traffic management improvements to allow for crossings at major transit stops, as identified in the transportation system plan.
Applicant's Response: N/A, this project is limited to a small local parking lot.

17. All utility lines shall be placed underground.
Applicant's Response: All utility lines have been placed underground

18. Access and facilities for physically handicapped people shall be incorporated into the site and building design consistent with applicable federal and state requirements, with particular attention to providing continuous, uninterrupted access routes.
Applicant's Response: Accessible parking is located to the adjacent site that houses the actual Veterinary Building.

19. For a residential development, site layout shall achieve at least eighty percent of the maximum density of the base zone for the net developable area. Net developable area excludes all areas for required right-of-way dedication, land protected from development through Natural Resource or Geologic Hazards protection, and required open space or park dedication.
Applicant's Response: N/A, not a residential development.

20. Screening of Mechanical Equipment:
a. Rooftop mechanical equipment, including HVAC equipment and utility equipment that serves the structure, shall be screened. Screening shall be accomplished through the use of parapet walls or a sight-obscuring enclosure around the equipment constructed of one of the primary materials used on the primary facades of the structure, and that is an integral part of the building's architectural design. The parapet or screen shall completely surround the rooftop mechanical equipment to an elevation equal to or greater than the highest portion of the rooftop mechanical equipment being screened. In the event such parapet wall does not fully screen all rooftop equipment, then the rooftop equipment shall be enclosed by a screen constructed of one of the primary materials used on the primary facade of the building so as to achieve complete screening.
Applicant's Response: N/A, no mechanical equipment onsite.

b. Wall-mounted mechanical equipment shall not be placed on the front facade of a building or on a facade that faces a right-of-way. Wall-mounted mechanical equipment, including air conditioning or HVAC equipment and groups of multiple utility meters, that extends six inches or more from the outer building wall shall be screened from view from streets; from residential, public, and institutional properties; and from public areas of the site or adjacent sites through the use of (a) sight-obscuring enclosures constructed of one of the primary materials used on the primary facade of the structure, (b) sight-obscuring fences, or (c) trees or shrubs that block at least eighty percent of the equipment from view or (d) painting the units to match the building. Wall-mounted mechanical equipment that extends six inches or less from the outer building wall shall be designed to blend in with the color and architectural design of the subject building.
Applicant's Response: N/A, no mechanical equipment onsite.

c. Ground-mounted above-grade mechanical equipment shall be screened by ornamental fences, screening enclosures, trees, or shrubs that block at least eighty percent of the view. Placement and type of screening shall be determined by the community development director.
Applicant's Response: N/A, no mechanical equipment onsite.

d. All mechanical equipment shall comply with the standards in this section. If mechanical equipment is installed outside of the site plan and design review process, planning staff shall review the plans to determine if additional screening is required. If the proposed screening meets this section, no additional planning review is required.
Applicant's Response: N/A, no mechanical equipment onsite.

e. This section shall not apply to the installation of solar energy panels, photovoltaic equipment or wind power generating equipment.
Applicant's Response: N/A, no mechanical equipment onsite.

21. Building Materials.
a. Preferred building materials. Building exteriors shall be constructed from high quality, durable materials. Preferred exterior building materials that reflect the city's desired traditional character are as follows:
i. Brick.
Ii. Basalt stone or basalt veneer.
iii. Narrow horizontal wood or composite siding (generally five inches wide or less); wider siding will be considered where there is a historic precedent.
iv. Board and baton siding.
v. Other materials subject to approval by the community development director.
vi. Plywood with battens or fiber/composite panels with concealed fasteners and contagious aluminum sections at each joint that are either horizontally or vertically aligned.
vii. Stucco shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.
Applicant's Response: N/A, no building onsite.

b. Prohibited materials. The following materials shall be prohibited in visible locations unless an exception is granted by the community development director based on the integration of the material into the overall design of the structure.
i. Vinyl or plywood siding (including T-111 or similar plywood).
Ii. Glass block or highly tinted, reflected, translucent or mirrored glass (except stained glass) as more than ten percent of the building facade.
iii. Corrugated fiberglass.
iv. Chain link fencing (except for temporary purposes such as a construction site or as a gate for a refuse enclosure).
[v.] Crushed colored rock/crushed tumbled glass.
[vi.] Non-corrugated and highly reflective sheet metal.
Applicant's Response: N/A, no building onsite.

c. Special material standards: The following materials are allowed if they comply with the requirements found below:
1. Concrete block. When used for the front facade of any building, concrete blocks shall be split, rock- or ground-faced and shall not be the prominent material of the elevation. Plain concrete block or plain concrete may be used as foundation material if the foundation material is not revealed more than three feet above the finished grade level adjacent to the foundation wall.
2. Metal siding. Metal siding shall have visible corner moldings and trim and incorporate masonry or other similar durable/permanent material near the ground level (first two feet above ground level).
3. Exterior Insulation and Finish System (EIFS) and similar toweled finishes shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.
4. Building surfaces shall be maintained in a clean condition and painted surfaces shall be maintained to prevent or repair peeling, blistered or cracking paint.
Applicant's Response: N/A, no building onsite.

17.62.065 - Outdoor lighting.
B. Applicability.
1. General.
a. All exterior lighting for any type of commercial, mixed-use, industrial or multi-family development shall comply with the standards of this section, unless excepted in subsection B.3.
b. The city engineer/public works director shall have the authority to enforce these regulations on private property if any outdoor illumination is determined to present an immediate threat to the public health, safety and welfare.
Applicant's Response: Additional lighting has been provided along the public ROW in its existing conditions. No additional onsite lighting has been deemed required per pre-app meeting.

2. Lighting Plan Requirement.
All commercial, industrial, mixed-use, cottage housing and multi-family developments shall submit a proposed exterior lighting plan. The plan must be submitted concurrently with the site plan. The exterior lighting plan shall include plans and specifications for streetlights, parking lot lights, and exterior building lights. The specifications shall include details of the pole, fixture height and design, lamp type, wattage, and spacing of lights.
Applicant's Response: N/A, no onsite lighting required.

3. Excepted Lighting.
The following types of lighting are excepted from the requirements of this section.
a. Residential lighting for single-family attached and detached homes, and duplexes.
b. Public street and right-of-way lighting.
c. Temporary decorative seasonal lighting provided that individual lamps have a light output of sixty watts or less.
d. Temporary lighting for emergency or nighttime work and construction.
e. Temporary lighting for theatrical, television, and performance areas, or for special public events.
f. Lighting for a special district, street, or building that, according to an adopted municipal plan or ordinance, is determined to require special lighting aesthetics as part of its physical character.
g. Lighting required and regulated by the Federal Aviation Administration.
Applicant's Response: Additional lighting has been provided along the public ROW in its existing conditions. No additional onsite lighting has been deemed required per pre-app meeting.

C. General Review Standard. If installed, all exterior lighting shall meet the functional security needs of the proposed land use without adversely affecting adjacent properties or the community. For purposes of this section, properties that comply with the design standards of subsection D. below shall be deemed to not adversely affect adjacent properties or the community.
Applicant's Response: Additional lighting has been provided along the public ROW in its existing conditions. No additional onsite lighting has been deemed required per pre-app meeting.

D. Design and Illumination Standards.
General Outdoor Lighting Standard and Glare Prohibition.
1. Outdoor lighting, if provided, shall be provided in a manner that enhances security, is appropriate for the use, avoids adverse impacts on surrounding properties, and the night sky through appropriate shielding as defined in this section. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 footcandles of light as measured at the property line. In no case shall exterior lighting add more than 0.5 footcandle to illumination levels at any point off-site. Exterior lighting is not required except for purposes of public safety. However, if installed, all exterior lighting shall meet the following design standards:
Applicant's Response: N/A, no additional lighting has been required.

2. Any light source or lamp that emits more than nine hundred lumens (thirteen watt compact fluorescent or sixty watt incandescent) shall be concealed or shielded with a full cut-off style fixture in order to minimize the potential for glare and unnecessary diffusion on adjacent property. All fixtures shall utilize one of the following bulb types: metal halide, induction lamp, compact fluorescent, incandescent (including tungsten-halogen), or high pressure sodium with a color rendering index above seventy.
Applicant's Response: N/A, no additional lighting has been required.

3. The maximum height of any lighting pole serving a multi-family residential use shall be twenty feet. The maximum height serving any other type of use shall be twenty-five feet, except in parking lots larger than five acres, the maximum height shall be thirty-five feet if the pole is located at least one hundred feet from any residential use.
Applicant's Response: N/A, no additional lighting has been required.

4. Lighting levels:
Table 1-17.62.065. Foot-candle Levels

Location	*Min*	*Max*	*Avg*
Pedestrian Walkways	*0.5*	*7:1 max/min ratio*	*1.5*
Pedestrian Walkways in Parking Lots		*10:1 max/min ratio*	*0.5*
Pedestrian Accessways	*0.5*	*7:1 max/min ratio*	*1.5*
Building Entrances	*3*		
Bicycle Parking Areas	*3*		
Abutting property	*N/A*	*.5*	

Applicant's Response: N/A

5. Parking lots and other background spaces shall be illuminated as unobtrusively as possible while meeting the functional needs of safe circulation and protection of people and property. Foreground spaces, such as building entrances and outside seating areas, shall utilize pedestrian scale lighting that defines the space without glare.
Applicant's Response: Additional lighting has been provided along the public ROW in its existing conditions. No additional onsite lighting has been deemed required per pre-app meeting.

6. Any on-site pedestrian circulation system shall be lighted to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night. Pedestrian walkway lighting through parking lots shall be lighted to light the walkway and enhance pedestrian safety pursuant to Table 1.
Applicant's Response: N/A, no additional onsite lighting has been proposed and or is required.

7. Pedestrian Accessways. To enhance pedestrian and bicycle safety, pedestrian accessways required pursuant to OCMC 12.28 shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of one-half foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances. Lamps shall include a high-pressure sodium bulb with an unbreakable lens.
Applicant's Response: N/A, no additional onsite lighting has been proposed and or is required.

8. Floodlights shall not be utilized to light all or any portion of a building facade between ten p.m. and six a.m.
Applicant's Response: N/A, no flood lights present.

9. Lighting on automobile service station, convenience store, and other outdoor canopies shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy.
Applicant's Response: N/A , this is a small parking lot project.

10. The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site.
Applicant's Response: N/A, no additional onsite lighting has been proposed and or is required.

11. In no case shall exterior lighting add more than one foot-candle to illumination levels at any point off-site.
Applicant's Response: N/A, no additional onsite lighting has been proposed and or is required.

12. All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non-operating hours.
Applicant's Response: N/A, no additional onsite lighting has been proposed and or is required.

13. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.
Applicant's Response: N/A, no additional onsite lighting has been proposed and or is required.

14. For upward-directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the building roofline.
Applicant's Response: N/A, no additional onsite lighting has been proposed and or is required.

15. No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting.
Applicant's Response: N/A, no additional onsite lighting has been proposed and or is required.

16. Wireless Sites. Unless required by the Federal Aviation Administration or the Oregon Aeronautics Division, artificial lighting of wireless communication towers and antennas shall be prohibited. Strobe lighting of wireless communication facilities is prohibited unless required by the Federal Aviation Administration. Security lighting for equipment shelters or cabinets and other on-the-ground auxiliary equipment on wireless communication facilities shall be initiated by motion detecting lighting.
Applicant's Response: N/A this is not a wireless site.

17. Lighting for outdoor recreational uses such as ball fields, playing fields, tennis courts, and similar uses, provided that such uses comply with the following standards:
i. Maximum permitted light post height: eighty feet.
ii. Maximum permitted illumination at the property line: 0.5 foot-candles.
Applicant's Response: N/A, this is not a recreational use site.

CHAPTER 17.52 OFF-STREET PARKING AND LOADING

17.52.010 - Applicability.
The construction of a new structure or parking lot, or alterations to the size or use of an existing structure, parking lot or property use shall require site plan review approval and compliance with this chapter. This chapter does not apply to single- and two-family residential dwellings.
Applicant's Response: This project consists of an offsite parking lot that serves the Veterinary Hospital across the street.

17.52.015 - Planning commission adjustment of parking standards.
A. Purpose: The purpose of permitting a planning commission adjustment to parking standards is to provide for flexibility in modifying parking standards in all zoning districts, without permitting an adjustment that would adversely impact the surrounding or planned neighborhood. The purpose of an adjustment is to provide flexibility to those uses which may be extraordinary, unique or to provide greater flexibility for areas that can accommodate a denser development pattern based on existing infrastructure and ability to access the site by means of walking, biking or transit. An adjustment to a minimum or maximum parking standard may be approved based on a determination by the planning commission that the adjustment is consistent with the purpose of this Code, and the approval criteria can be met.
Applicant's Response: The property owner will ask for an adjustment as the added parking stalls will outnumber the maximum allowed stalls per code requirements.

B. Procedure: A request for a planning commission parking adjustment shall be initiated by a property owner or authorized agent by filing a land use application. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development and parking plan, the extent of the

adjustment requested along with findings for each applicable approval criteria. A request for a parking adjustment shall be processed as a Type III application as set forth in Chapter 17.50.
Applicant's Response: The request for parking adjustment will be added to the submittal.

C. Approval criteria for the adjustment are as follows:
1. Documentation: The applicant shall document that the individual project will require an amount of parking that is different from that required after all applicable reductions have been taken.
Applicant's Response: The intent is to provide pictures and a daily tabulation of visitors coming and going to the veterinary hospital to indicate the necessity of the additional parking.

2. Parking analysis for surrounding uses and on-street parking availability: The applicant must show that there is a continued fifteen percent parking vacancy in the area adjacent to the use during peak parking periods and that the applicant has permission to occupy this area to serve the use pursuant to the procedures set forth by the community development director.
Applicant's Response: There is no vacancy for on street parking. The intent is to create additional parking off street and alleviate some of the street side congestion as well.

a. For the purposes of demonstrating the availability of on street parking as defined in [Section] 17.52.020.B.3., the applicant shall undertake a parking study during time periods specified by the community development director. The time periods shall include those during which the highest parking demand is anticipated by the proposed use. Multiple observations during multiple days shall be required. Distances are to be calculated as traversed by a pedestrian that utilizes sidewalks and legal crosswalks or an alternative manner as accepted by the community development director.
Applicant's Response: A parking study is required and has been completed by the owner based on the requirements set forth by the City in the pre-application notes.

b. The onsite parking requirements may be reduced based on the parking vacancy identified in the parking study. The amount of the reduction in onsite parking shall be calculated as follows:
i. Vacant on-street parking spaces within three hundred feet of the site will reduce onsite parking requirements by 0.5 parking spaces; and
ii. Vacant on-street parking spaces between three hundred and six hundred feet of the [site] will reduce onsite parking requirements by 0.2 parking spaces.
Applicant's Response: The client is not seeking an onsite parking reduction.

3. Function and Use of Site: The applicant shall demonstrate that modifying the amount of required parking spaces will not significantly impact the use or function of the site and/or adjacent sites.
Applicant's Response: The current site is vacant and fulfills no use. The adjacent sites are either vacant and or commercial. The new parking function will alleviate the congested and unregulated on-street parking which has created hazardous conditions before.

4. Compatibility: The proposal is compatible with the character, scale and existing or planned uses of the surrounding neighborhood.
Applicant's Response: This is a commercially zoned site and the current proposal fits within its use. The small-scale development fits within the neighborhood context and no blatant objections were outed during a neighborhood meeting.

5. Safety: The proposal does not significantly impact the safety of adjacent properties and rights-of-way.
Applicant's Response: This project improves the overall safety of the adjacent properties and ROW. This reduces unnecessary parking entries into the existing parking lot which reduces some of the onsite traffic and potential parking complications. It also reduces some of the on-street parking which isn't designated parking currently and any reduction in on street parking provides a safety factor to pedestrians coming and going in and out of the cars.

6. Services: The proposal will not create a significant impact to public services, including fire and emergency services.

Applicant's Response: **The development does not negatively affect public services and allows for adequate access.**

17.52.020 - Number of automobile spaces required.
A. The number of parking spaces shall comply with the minimum and maximum standards listed in Table 17.52.020. The parking requirements are based on spaces per one thousand square feet net leasable area unless otherwise stated.

Table 17.52.020		
LAND USE	*PARKING REQUIREMENTS*	
	MINIMUM	*MAXIMUM*
Senior housing, including congregate care, residential care and assisted living facilities; nursing homes and other types of group homes	*1 per 7 beds*	*1 per 5 beds*

Applicant's Response:

1. Multiple Uses. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.
Applicant's Response: **There is only a single use onsite, surface parking.**

2. Requirements for types of buildings and uses not specifically listed herein shall be determined by the community development director, based upon the requirements of comparable uses listed.
Applicant's Response: **There is only a single use onsite, surface parking.**

3. Where calculation in accordance with the above list results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.
Applicant's Response: **There is only a single use onsite, surface parking.**

4. The minimum required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of vehicles used in conducting the business or use.
Applicant's Response: **The expanded parking is intended for employee parking on a day to day basis. There is no storage intended onsite.**

5. A change in use within an existing habitable building located in the MUD Design District or the Willamette Falls Downtown District is exempt from additional parking requirements. Additions to an existing building and new construction are required to meet the minimum parking requirements for the areas as specified in Table 17.52.020 for the increased square footage.
Applicant's Response: **There is no change in use within an existing habitable building on this site.**

B. Parking requirements can be met either onsite, or offsite by meeting the following conditions:
1. Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (e.g. the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly, up to a maximum reduction of fifty percent, as determined by the community development director.
Applicant's Response: **This is not a mixed use site.**

2. Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlay (e.g., uses primarily of a daytime versus nighttime nature), that the shared

parking facility is within one thousand feet of the potential uses, and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument authorizing the joint use.
Applicant's Response: This will be a single owner parking facility and not shared with other facilities.

3. On-Street Parking. On-street parking may be counted toward the minimum standards when it is on the street face abutting the subject land use. An on-street parking space must not obstruct a required clear vision area and it shall not violate any law or street standard. On-street parking for commercial uses shall conform to the following standards:
a. Dimensions. The following constitutes one on-street parking space:
1. Parallel parking, each [twenty-two] feet of uninterrupted and available curb;
2. [Forty-five/sixty] degree diagonal, each with [fifteen] feet of curb;
3. Ninety degree (perpendicular) parking, each with [twelve] feet of curb.
4. Public Use Required for Credit. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.
Applicant's Response: On-street parking will not be counted towards the parking requirements.

C. Reduction of the Number of Automobile Spaces Required. The required number of parking stalls may be reduced in the Downtown Parking Overlay District: Fifty percent reduction in the minimum number of spaces required is allowed prior to seeking further reductions in [sub]sections 2. and 3. below:
1. Transit Oriented Development. For projects not located within the Downtown Parking Overlay District, the community development director may reduce the required number of parking stalls up to twenty-five percent when it is determined that a project in a commercial center (sixty thousand square feet or greater of retail or office use measured cumulatively within a five hundred-foot radius) or multi-family development with over eighty units, is adjacent to or within one thousand three hundred twenty feet of an existing or planned public transit street and is within one thousand three hundred twenty feet of the opposite use (commercial center or multi-family development with over eighty units).
2. Reduction in Parking for Tree Preservation. The community development director may grant an adjustment to any standard of this requirement provided that the adjustment preserves a regulated tree or grove so that the reduction in the amount of required pavement can help preserve existing healthy trees in an undisturbed, natural condition. The amount of reduction must take into consideration any unique site conditions and the impact of the reduction on parking needs for the use, and must be approved by the community development director. This reduction is discretionary.
3. Transportation Demand Management. The community development director may reduce the required number of parking stalls up to twenty-five percent when a parking-traffic study prepared by a traffic engineer demonstrates:
a. Alternative modes of transportation, including transit, bicycles, and walking, and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development, as compared to standard Institute of Transportation Engineers vehicle trip generation rates and further that the transportation demand management program promotes or achieves parking utilization lower than minimum city parking requirements.
b. Transportation demand management (TDM) program has been developed for approval by, and is approved by the city engineer. The plan will contain strategies for reducing vehicle use and parking demand generated by the development and will be measured annually. If, at the annual assessment, the city determines the plan is not successful, the plan may be revised. If the city determines that no good-faith effort has been made to implement the plan, the city may take enforcement actions.
Applicant's Response: N/A, there will be an increase in parking spaces that will require a variance. A TDM plan bas been deemed not necessary.

17.52.030 - Standards for automobile parking.
A. Access. Ingress and egress locations on public thoroughfares shall be located in the interests of public traffic safety. Groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. No driveway with a slope of greater than fifteen percent shall be permitted without approval of the city engineer.
Applicant's Response: Driveway has been located in line with adjacent property for public traffic safety and are adequately wide enough to not require the need for additional turn movements on the street.

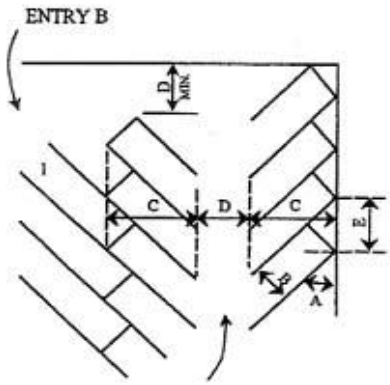
B. Surfacing. Required off-street parking spaces and access aisles shall have paved surfaces adequately maintained. The use of pervious asphalt/concrete and alternative designs that reduce storm water runoff and improve water quality pursuant to the city's stormwater and low impact development design standards are encouraged.
Applicant's Response: Offstreet pavement has been designed by professional geotechnical engineer based on traffic loading and durability.

C. Drainage. Drainage shall be designed in accordance with the requirements ofChapter 13.12 and the city public works stormwater and grading design standards.
Applicant's Response: Design of the parking lot drainage meets the city standards. Based on communication with the City engineer the owner has chosen to fully pave the parking lot with permeable pavement. This brings the proposed impervious development below the 5000 square feet threshold for storm water management and meets the City requriements.

D. Dimensional Standards.
1. Requirements for parking developed at varying angles are according to the table included in this section. A parking space shall not be less than seven feet in height when within a building or structure, and shall have access by an all-weather surface to a street or alley. Parking stalls in compliance with the American with Disabilities Act may vary in size in order to comply with the building division requirements. Up to thirty-five percent of the minimum required parking may be compact, while the remaining required parking stalls are designed to standard dimensions. The community development director may approve alternative dimensions for parking stalls in excess of the minimum requirement which comply with the intent of this chapter.
2. Alternative parking/plan. Any applicant may propose an alternative parking plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. In such situations, the community development director may approve an alternative parking lot plan with variations to parking dimensions of this section. The alternative shall be consistent with the intent of this chapter and shall create a safe space for automobiles and pedestrians while providing landscaping to the quantity and quality found within parking lot landscaping requirements.
PARKING STANDARD
PARKING ANGLE SPACE DIMENSIONS

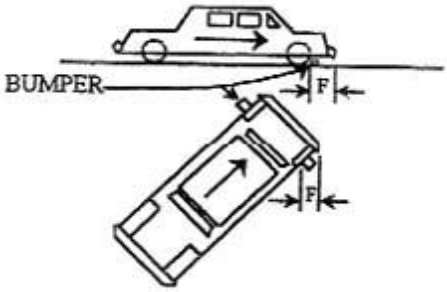
A Parking Angle		*B Stall Width*	*C Stall to Curb*	*D Aisle Width*	*E Curb Length*	*F Overhang*
0 degrees		*8.5*	*9.0*	*12*	*20*	*0*
30 degrees	*Standard* *Compact*	*9'* *8'*	*17.3'* *14.9'*	*11'* *11'*	*18'* *16'*	
45 degrees	*Standard* *Compact*	*8.5* *8.5*	*19.8'* *17.0'*	*13'* *13'*	*12.7'* *11.3'*	*1.4*
60 degrees	*Standard* *Compact*	*9'* *8'*	*21'* *17.9'*	*18'* *16'*	*10.4'* *9.2'*	*1.7*
90 degrees	*Standard* *Compact*	*9'* *8'*	*19.0'* *16.0'*	*24'* *22'*	*9'* *8'*	*1.5*

All dimensions are to the nearest tenth of a foot.



L. TYPICAL PARKING LAYOUT

M. ENTRY *A*



NOTE: SPACE 1 CONTINGENT UPON ENTRY B

OVERHANG

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

Applicant's Response: All parking is 9 by 19 feet with a minimal aisle width of 29 feet in areas with two sided parking.

E. Carpool and Vanpool Parking. New developments with seventy-five or more parking spaces, and new hospitals, government offices, group homes, nursing and retirement homes, schools and transit park-and-ride facilities with fifty or more parking spaces, shall identify the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other employee, student or commuter parking spaces with the exception of ADA accessible parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only."

Applicant's Response: N/A, onsite parking will be well below the 75 required parking spaces.

17.52.040 - Bicycle parking standards.

A. Purpose-Applicability. To encourage bicycle transportation to help reduce principal reliance on the automobile, and to ensure bicycle safety and security, bicycle parking shall be provided in conjunction with all uses other than single-family dwellings or duplexes.

Applicant's Response: Bicycle parking has been provided at the actual Veterinary Hospital across the street. Additional parking was not deemed necessary as people visiting this facility don't ride bikes given they are bringing in their pets.

B. Number of Bicycle Spaces Required. For any use not specifically mentioned in Table A, the bicycle parking requirements shall be the same as the use which, as determined by the community development director, is most similar to the use not specifically mentioned. Calculation of the number of bicycle parking spaces required shall be determined in the manner established in Section 17.52.020 for determining automobile parking space requirements. Modifications to bicycle parking requirements may be made through the site plan and design, conditional use, or master plan review process.

*TABLE A Required Bicycle Parking Spaces**

Where two options for a requirement are provided, the option resulting in more bicycle parking applies. Where a calculation results in a fraction, the result is rounded up to the nearest whole number.

USE	*MINIMUM BICYCLE PARKING*	*MINIMUM BICYCLE PARKING - COVERED - The following percentage of bicycle parking is required to be covered*
Nursing home or care facility	*1 per 30 auto spaces (minimum of 2)*	*30% (minimum of 1)*

* *Covered bicycle parking is not required for developments with two or fewer stalls.*

Applicant's Response: Bicycle parking has been provided at the actual Veterinary Hospital across the street. Additional parking was not deemed necessary as people visiting this facility don't ride bikes given they are bringing in their pets.

C. Security of Bicycle Parking. Bicycle parking facilities shall be secured. Acceptable secured bicycle parking area shall be in the form of a lockable enclosure onsite, secure room in a building onsite, a covered or uncovered rack onsite, bicycle parking within the adjacent right-of-way or another form of secure parking where the bicycle can be stored, as approved by the decision maker. All bicycle racks and lockers shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience and, when in the right-of-way shall comply with clearance and ADA requirements.

Applicant's Response: Secured bicycle parking has been provided at the actual Veterinary Hospital across the street.

D. Bicycle parking facilities shall offer security in the form of either a lockable enclosure or a stationary rack to which the bicycle can be locked. All bicycle racks and lockers shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience.

Location of Bicycle Parking:

1. Bicycle parking shall be located on-site, in one or more convenient, secure and accessible location. The city engineer and the community development Director may permit the bicycle parking to be provided within the right-of-way provided adequate clear zone and ADA requirements are met. If sites have more than one building, bicycle parking shall be distributed as appropriate to serve all buildings. If a building has two or more main building entrances, the review authority may require bicycle parking to be distributed to serve all main building entrances, as it deems appropriate.

Applicant's Response: Secured bicycle parking has been provided at the actual Veterinary Hospital across the street.

2. Bicycle parking areas shall be clearly marked or visible from on-site buildings or the street. If a bicycle parking area is not plainly visible from the street or main building entrance, a sign must be posted indicating the location of the bicycle parking area. Indoor bicycle parking areas shall not require stairs to access the space unless approved by the community development director.

Applicant's Response: Secured bicycle parking has been provided at the actual Veterinary Hospital across the street and is visible from the street and from the new parking facility.

3. All bicycle parking areas shall be located to avoid conflicts with pedestrian and motor vehicle movement.

a. Bicycle parking areas shall be separated from motor vehicle parking and maneuvering areas and from arterial streets by a barrier or a minimum of five feet.

b. Bicycle parking areas shall not obstruct pedestrian walkways; provided, however, that the review authority may allow bicycle parking in the right-of-way where this does not conflict with pedestrian accessibility.

Applicant's Response: Secured bicycle parking has been provided at the actual Veterinary Hospital across the street which has an additional separate access point from vehicular traffic and is located to the side of a pedestrian route to prevent pedestrian blockage.

4. Accessibility.

a. Outdoor bicycle areas shall be connected to main building entrances by pedestrian accessible walkways.

b. Outdoor bicycle parking areas shall have direct access to a right-of-way.

c. Outdoor bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space, or fifty feet, whichever is less, unless otherwise determined by the community development director, city engineer, or planning commission.
Applicant's Response: Secured bicycle parking has been provided at the actual Veterinary Hospital across the street which is conveniently located near the main entrance of the hospital building.

17.52.060 - Parking lot landscaping.
A. Development Standards.
1. The landscaping shall be located in defined landscaped areas that are uniformly distributed throughout the parking or loading area.
Applicant's Response: Landscaping is located within defined area bounded by curbing across the site.

2. All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.
Applicant's Response: All areas not used for parking, maneuvering or circulation are landscaped.

3. Parking lot trees shall be a mix of deciduous shade trees and coniferous trees. The trees shall be evenly distributed throughout the parking lot as both interior and perimeter landscaping to provide shade.
Applicant's Response: Trees in perimeter landscaping are deciduous and are evenly distributed at no more than 35' apart.

4. Required landscaping trees shall be of a minimum two-inch minimum caliper size (though it may not be standard for some tree types to be distinguished by caliper), planted according to American Nurseryman Standards, and selected from the Oregon City Street Tree List;
Applicant's Response: Deciduous trees include Gingko biloba 'Princeton Sentry' and specified as minimum 2" caliper. This tree is listed on the Oregon City Street Tree List. The single evergreen tree is Pinus contorta var. Contorta and specified as 4" caliper, minimum. This tree is not listed on the Oregon City Street Tree List but is native to Oregon. This tree was selected for its size (approximately 35' tall and 25 wide at maturity) and its attractive appearance and tolerance for a variety of conditions, including restricted root zones. The three evergreen trees listed on the Oregon City Street Tree List for 8.5' or larger planting strips (Cedrus deodora, Cedrus libani and Thuja Plicata) will become much larger ultimately than the Pinus contorta and were determined to be too large for this small area.

5. Landscaped areas shall include irrigation systems unless an alternate plan is submitted, and approved by the community development director, that can demonstrate adequate maintenance;
Applicant's Response: An irrigation system will be installed as per drawings and specifications.

6. All plant materials, including trees, shrubbery and ground cover should be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage and staggered flowering periods. Species found on the Oregon City Native Plant List are strongly encouraged and species found on the Oregon City Nuisance Plant List are prohibited.
Applicant's Response: Plants were selected for their appropriateness to site conditions and drought tolerance, to provide a mix of evergreen and deciduous foliage, varied flowering periods, and seasonal color. Ultimate plant size will provide full coverage based on prescribed spacing. No species specified is found on the Oregon City Nuisance Plant List. Several species are found on the Oregon City Native Plant List.

7. The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of Chapter 10.32, Traffic Sight Obstructions.
Applicant's Response: The location and/or size of plants shown will comply w/ a clear vision area as defined in Chapter 10.32.

B. Perimeter Parking Lot Landscaping and Parking Lot Entryway/Right-of-Way Screening. Parking lots shall include a five-foot wide landscaped buffer where the parking lot abuts the right-of-way and/or adjoining properties. In order to provide connectivity between non-single-family sites, the community development director may approve an interruption in the perimeter parking lot landscaping for a single driveway where the parking lot abuts property

designated as multi-family, commercial or industrial. Shared driveways and parking aisles that straddle a lot line do not need to meet perimeter landscaping requirements.
1. The perimeter parking lot are[a] shall include:
a. Trees spaced a maximum of thirty-five feet apart (minimum of one tree on either side of the entryway is required). When the parking lot is adjacent to a public right-of-way, the parking lot trees shall be offset from the street trees;
Applicant's Response: Trees are spaced no more than 35' apart. There is at least one tree on either side of the entry to the parking lot. Trees in the perimeter landscaped area are offset from the proposed street trees.

b. Ground cover, such as wild flowers, spaced a maximum of 16-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
Applicant's Response: All groundcover will be spaced no more than 16" apart, and is projected to grow to cover the exposed ground within three years. Mulch shall be "Garden Mulch" supplied by Grimm's Fuel Company or equivalent, consisting of organic compost made from lawn and garden trimmings.

c. An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average. The hedge/shrubs shall be parallel to and not nearer than two feet from the right-of-way line. The required screening shall be designed to allow for free access to the site and sidewalk by pedestrians. Visual breaks, no more than five feet in width, shall be provided every thirty feet within evergreen hedges abutting public right-of-ways.
Applicant's Response: An evergreen hedge is parallel to the property line on four sides, approximately 2 ½' from the property line. The hedge is composed of a single evergreen species that achieves a height of 36".

C. Parking Area/Building Buffer. Parking areas shall be separated from the exterior wall of a structure, exclusive of pedestrian entranceways or loading areas, by one of the following:
1. Minimum five-foot wide landscaped planter strip (excluding areas for pedestrian connection) abutting either side of a parking lot sidewalk with:
Applicant's Response: N/A, there is no onsite structure.

a. Trees spaced a maximum of thirty-five feet apart;
Applicant's Response: N/A, there is no onsite structure.

b. Ground cover such as wild flowers, spaced a maximum of sixteen-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
Applicant's Response: N/A, there is no onsite structure.

c. An evergreen hedge of thirty to forty-two inches or shrubs placed no more than four feet apart on average; or
Applicant's Response: N/A, there is no onsite structure.

2. Seven-foot sidewalks with shade trees spaced a maximum of thirty-five feet apart in three-foot by five-foot tree wells.
Applicant's Response: N/A, there is no onsite structure.

D. Interior Parking Lot Landscaping. Surface parking lots shall have a minimum ten percent of the interior of the gross area of the parking lot devoted to landscaping to improve the water quality, reduce storm water runoff, and provide pavement shade. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum total site landscaping required by Section 17.62.050(1) unless otherwise permitted by the dimensional standards of the underlying zone district. Pedestrian walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. Interior parking lot landscaping shall include:
a. A minimum of one tree per six parking spaces.
Applicant's Response: There are 18 parking spaces and 11 trees proposed total, 10 at 2" caliper and 1 at 4" caliper. Of these trees, three are in interior parking lot landscaping areas. Interior parking lot landscaping is

approximately 890 square feet, which comprises more than 9% of the lot size (9326 square feet). Additional perimeter landscaping is approximately 1600 square feet, which comprises approximately 17% of the lot size.
b. Ground cover, such as wild flowers, spaced a maximum of sixteen-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.
Applicant's Response: Interior parking lot landscaping includes groundcovers spaced at maximum 16" on center.

c. Shrubs spaced no more than four feet apart on average.
Applicant's Response: Interior parking lot landscaping includes shrubs spaced at 4' on center.

d. No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them. Landscape strips shall be provided between rows of parking shall be a minimum of six feet in width and a minimum of ten feet in length.
Applicant's Response: There are no more than eight contiguous parking spaces proposed.

e. Pedestrian walkways shall have shade trees spaced a maximum of every thirty-five feet in a minimum three-foot by five-foot tree wells; or

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

Applicant's Response: Landscaping adjacent to pedestrian walkway bordering the parking area includes trees spaced no more than 35' apart, shrubs spaced no more than 4' apart, and groundcover spaced at 16" on center. No bark mulch is proposed.

E. Installation.
1. All landscaping shall be installed according to accepted planting procedures, according to American Nurseryman Standards.
2. The site, soils and proposed irrigation systems shall be appropriate for the healthy and long-term maintenance of the proposed plant species.
3. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the city, such as the posting of a surety.
Applicant's Response: Specifications and drawings are included in submittal detailing planting procedures, soil preparation and irrigation.

17.52.070 - Alternative landscaping plan.
Any applicant may propose an alternative landscaping plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. Alternative plans may include the use of low impact development techniques and minimized landscaping requirements. In such situations, the community development director may approve variations to the landscaping standards of section 17.52.060.
A. General Review Standard. The alternative shall be meet or exceed the intent of this chapter and shall create a safe space for automobiles and pedestrians. The alternative landscaping plan shall be prepared by a licensed landscape architect.
B. Credit for Pervious/Low Impact Development. The community development director may count up to fifty percent of the square footage of any pervious hardscaped landscape material within a parking lot that is designed and approved pursuant to the city's adopted stormwater and low impact development design standards toward minimum landscaping requirements for the site. (This includes porous pavement detention, open celled block pavers, porous asphalt, porous concrete pavement, porous turf, porous gravel, etc).
Applicant's Response: N/A, there is no requirement for an alternative landscaping plan.

17.52.080 - Maintenance.
The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of the site including but not limited to the off-street parking and loading spaces, bicycle parking and all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris.

All plant growth in interior landscaped areas shall be controlled by pruning, trimming, or otherwise so that:
a. It will not interfere with the maintenance or repair of any public utility;
b. It will not restrict pedestrian or vehicular access; and
c. It will not constitute a traffic hazard due to reduced visibility.
Applicant's Response: The owner or owner's representative shall be responsible for the maintenance of the site including landscaping. Landscape maintenance will ensure access to public utilities, will ensure that pedestrian and vehicular access is not restricted and that landscape will not constitute a traffic hazard due to reduced visibility.

17.52.090 - Loading areas.
B. Applicability.
1. Section 17.52.090 applies to uses that are expected to have service or delivery truck visits with a forty-foot or longer wheelbase, at a frequency of one or more vehicles per week. The city engineer and decision maker shall determine through site plan and design review the number, size, and location of required loading areas, if any.
Applicant's Response: N/A, there is no loading area.

C. Standards.
1. The off-street loading space shall be large enough to accommodate the largest vehicle that is expected to serve the use without obstructing vehicles or pedestrian traffic on adjacent streets and driveways. Applicants are advised to provide complete and accurate information about the potential need for loading spaces because the city engineer or decision maker may restrict the use of other public right-of-way to ensure efficient loading areas and reduce interference with other uses.
Applicant's Response: N/A, there is no loading area.

2. Where parking areas are prohibited between a building and the street, loading areas are also prohibited.
Applicant's Response: N/A, there is no loading area.

3. The city engineer and decision maker, through site plan and design review, may approve a loading area adjacent to or within a street right-of-way when all of the following loading and unloading operations conditions are met:
a. Short in duration (i.e., less than one hour);
b. Infrequent (less than three operations daily between 5:00 a.m. and 12:00 a.m. or all operations between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone);
c. Does not obstruct traffic during peak traffic hours;
d. Does not interfere with emergency response services; and
e. Is acceptable to the applicable roadway authority.
Applicant's Response: N/A, there is no loading area.

CHAPTER 12.04 - STREETS SIDEWALKS AND PUBLIC PLACES

12.04.003 - Applicability.
A. Compliance with this chapter is required for all land divisions, site plan and design review, master plan, detailed development plan and conditional use applications and all public improvements.
B. Compliance with this chapter is also required for new construction or additions which exceed fifty percent of the existing square footage, of all single and two-family dwellings. All applicable single and two-family dwellings shall provide any necessary dedications, easements or agreements as identified in the transportation system plan and this chapter. In addition, the frontage of the site shall comply with the following prioritized standards identified in this chapter:
1. Improve street pavement, construct curbs, gutters, sidewalks and planter strips; and
2. Plant street trees.
The cost of compliance with the standards identified in 12.04.003.B.1 and 12.04.003.B.2 is limited to ten percent of the total construction costs. The value of the alterations and improvements as determined by the community development director is based on the entire project and not individual building permits. It is the responsibility of the applicant to submit to the community development director the value of the required improvements. Additional

costs may be required to comply with other applicable requirements associated with the proposal such as access or landscaping requirements.
Applicant's Response: Additional ROW dedication is included to allow for a curb, paved green zone with tree wells and a pedestrian zone/sidewalk per city requirements.

12.04.005 - Jurisdiction and management of the public rights-of-way.
A. The city has jurisdiction and exercises regulatory management over all public rights-of-way within the city under authority of the City Charter and state law by issuing separate public works right-of-way permits or permits as part of issued public infrastructure construction plans. No work in the public right-of-way shall be done without the proper permit. Some public rights-of-way within the city are regulated by the State of Oregon Department of Transportation (ODOT) or Clackamas County and as such, any work in these streets shall conform to their respective permitting requirements.
B. Public rights-of-way include, but are not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements and all other public ways or areas, including the subsurface under and air space over these areas.
C. The city has jurisdiction and exercises regulatory management over each public right-of-way whether the city has a fee, easement, or other legal interest in the right-of-way. The city has jurisdiction and regulatory management of each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.
D. No person may occupy or encroach on a public right-of-way without the permission of the city. The city grants permission to use rights-of-way by franchises, licenses and permits.
E. The exercise of jurisdiction and regulatory management of a public right-of-way by the city is not official acceptance of the right-of-way, and does not obligate the city to maintain or repair any part of the right-of-way.
Applicant's Response: Additional ROW dedication is included to allow for a curb, paved green zone with tree wells and a pedestrian zone/sidewalk per city requirements.

12.04.007 - Modifications.
The review body may consider modification of this standard resulting from constitutional limitations restricting the city's ability to require the dedication of property or for any other reason, based upon the criteria listed below and other criteria identified in the standard to be modified. All modifications shall be processed through a Type II Land Use application and may require additional evidence from a transportation engineer or others to verify compliance. Compliance with the following criteria is required:
A. The modification meets the intent of the standard;
Applicant's Response: N/A, no modifications have been requested.

B. The modification provides safe and efficient movement of pedestrians, motor vehicles, bicyclists and freight;
Applicant's Response: N/A, no modifications have been requested.

C. The modification is consistent with an adopted plan; and
Applicant's Response: N/A, no modifications have been requested.

D. The modification is complementary with a surrounding street design; or, in the alternative;
Applicant's Response: N/A, no modifications have been requested.

E. If a modification is requested for constitutional reasons, the applicant shall demonstrate the constitutional provision or provisions to be avoided by the modification and propose a modification that complies with the state or federal constitution. The city shall be under no obligation to grant a modification in excess of that which is necessary to meet its constitutional obligations.
Applicant's Response: N/A, no modifications have been requested.

12.04.010 - Construction specifications—Improved streets.
All sidewalks hereafter constructed in the city on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan. The curb shall be constructed at the same time as the construction of the sidewalk and shall be located as provided in the ordinance authorizing the improvement of said

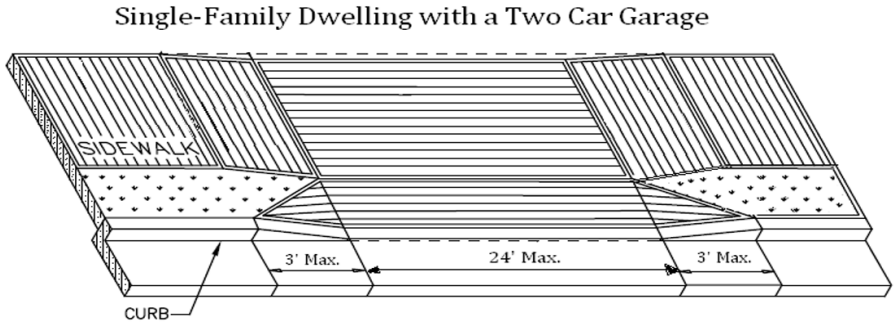
street next proceeding unless otherwise ordered by the city commission. Both sidewalks and curbs are to be constructed according to plans and specifications provided by the city engineer.
Applicant's Response: City details have been incorporated into the design drawings.

12.04.020 - Construction specifications—Unimproved streets.
Sidewalks constructed on unimproved streets shall be constructed of concrete according to lines and grades established by the city engineer and approved by the city commission. On unimproved streets curbs do not have to be constructed at the same time as the sidewalk.
Applicant's Response: N/A, this is not an unimproved street.

12.04.025 - Street design—Driveway curb cuts.
A. One driveway shall be allowed per frontage. In no case shall more than two driveways be allowed on any single or two-family residential property with multiple frontages.
B. With the exception of the limitations identified in 12.04.025.C, all driveway curb cuts shall be limited to the following dimensions.

Property Use	*Minimum Driveway Width at sidewalk or property line*	*Maximum Driveway Width at sidewalk or property line*
Single or two-family dwelling with one car garage/parking space	*10 feet*	*12 feet*
Single or two-family dwelling with two car garage/parking space	*12 feet*	*24 feet*
Single or two-family dwelling with three or more car garages/parking space	*18 feet*	*30 feet*
Nonresidential or multi-family residential driveway access	*15 feet*	*40 feet*

The driveway width abutting the street pavement may be extended three feet on either side of the driveway to accommodate turn movements. Driveways may be widened onsite in locations other than where the driveway meets sidewalk or property line (for example between the property line and the entrance to a garage).
Figure 12.04.025: Example Driveway Curb Cut



Applicant's Response: A standard 23' commercial driveway has been proposed based on the City standard detail.

C. The decision maker shall be authorized through a Type II process, unless another procedure applicable to the proposal applies, to minimize the number and size of curb cuts (including driveways) as far as practicable for any of the following purposes:
1. To provide adequate space for on-street parking;
2. To facilitate street tree planting requirements;
3. To assure pedestrian and vehicular safety by limiting vehicular access points; and
4. To assure that adequate sight distance requirements are met.

a. Where the decision maker determines any of these situations exist or may occur due to the approval of a proposed development for non-residential uses or attached or multi-family housing, a shared driveway shall be required and limited to twenty-four feet in width adjacent to the sidewalk or property line and may extend to a maximum of thirty feet abutting the street pavement to facilitate turning movements.
b. Where the decision maker determines any of these situations exist or may occur due to approval of a proposed development for detached housing within the "R-5" Single-Family Dwelling District or "R-3.5" Dwelling District, driveway curb cuts shall be limited to twelve feet in width adjacent to the sidewalk or property line and may extend to a maximum of eighteen feet abutting the street pavement to facilitate turning movements.
Applicant's Response: A standard 23' commercial driveway has been proposed based on the City standard detail. which are included on the details plan sheets.

D. For all driveways, the following standards apply.
1. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard surface for at least ten feet and preferably twenty feet back into the lot as measured from the current edge of street pavement to provide for controlling gravel tracking onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the city engineer.
2. Driving vehicles, trailers, boats, or other wheeled objects across a sidewalk or roadside planter strip at a location other than an approved permanent or city-approved temporary driveway approach is prohibited. Damages caused by such action shall be corrected by the adjoining property owner.
3. Placing soil, gravel, wood, or other material in the gutter or space next to the curb of a public street with the intention of using it as a permanent or temporary driveway is prohibited. Damages caused by such action shall be corrected by the adjoining property owner.
4. Any driveway built within public street or alley right-of-way shall be built and permitted per city requirements as approved by the city engineer.
Applicant's Response: A standard 23' commercial driveway has been proposed based on the City standard detail. which are included on the details plan sheets.

E. Exceptions. The public works director reserves the right to waive this standard, if it is determined through a Type II decision including written findings that it is in the best interest of the public to do so.
Applicant's Response: N/A

12.04.080 - Excavations—Permit required.
It shall be unlawful for any person to dig up, break, excavate, disturb, dig under or undermine any public street or alley, or any part thereof or any macadam, gravel, or other street pavement or improvement without first applying for and obtaining from the engineer a written permit so to do.
Applicant's Response: Utility and curb improvements in the public ROW will be part of the project but are incorporated into the plans and will require permit review.

12.04.090 - Excavations—Permit restrictions.
The permit shall designate the portion of the street to be so taken up or disturbed, together with the purpose for making the excavation, the number of days in which the work shall be done, and the trench or excavation to be refilled and such other restrictions as may be deemed of public necessity or benefit.
Applicant's Response: Public ROW work has been delineated in the plan and the contractor is required to coordinate improvements with the City prior to construction.

12.04.100 - Excavations—Restoration of pavement.
Whenever any excavation shall have been made in any pavement or other street improvement on any street or alley in the city for any purpose whatsoever under the permit granted by the engineer, it shall be the duty of the person making the excavation to restore the pavement in accordance with the City of Oregon City Public Works Pavement Cut Standard in effect at the time a right-of-way permit application is filed. The city commission may adopt and modify the City of Oregon City Public Works Pavement Cut Standards by resolution as necessary to implement the requirements of this chapter.
Applicant's Response: Reference and notes to the cut standard have been added to the design plans.

12.04.120 - Obstructions—Permit required.

A. Permanent Obstructions. It is unlawful for any person to place, put or maintain any obstruction, other than a temporary obstruction, as defined in subsection B. of this section, in any public street or alley in the city, without obtaining approval for a right-of-way permit from the commission by passage of a resolution.
1. The city engineer shall provide applicants with an application form outlining the minimum submittal requirements.
2. The applicant shall submit at least the following information in the permitting process in order to allow the commission to adequately consider whether to allow the placement of an obstruction and whether any conditions may be attached:
a. Site plan showing right-of-way, utilities, driveways as directed by staff;
b. Sight distance per Chapter 10.32, Traffic Sight Obstructions;
c. Traffic control plan including parking per Manual on Uniform Traffic Control Devices (MUTCD);
d. Alternative routes if necessary;
e. Minimizing obstruction area; and
f. Hold harmless/maintenance agreement.
3. If the commission adopts a resolution allowing the placement of a permanent obstruction in the right-of-way, the city engineer shall issue a right-of-way permit with any conditions deemed necessary by the commission.
B. Temporary Obstructions.
1. A "temporary obstruction" is defined as an object placed in a public street, road or alley for a period of not more than sixty consecutive days. A "temporary obstruction" includes, but is not limited to, moving containers and debris dumpsters.
2. The city engineer, or designee, is authorized to grant a permit for a temporary obstruction.
3. The city engineer shall provide applicants with an application form outlining the minimum submittal requirements.
4. The applicant shall submit, and the city engineer, or designee, shall consider, at least the following items in the permitting process. Additional information may be required in the discretion of the city engineer:
a. Site plan showing right-of-way, utilities, driveways as directed by staff;
b. Sight distance per Chapter 10.32, Traffic Sight Obstructions;
c. Traffic control plan including parking per Manual on Uniform Traffic Control Devices (MUTCD);
d. Alternative routes if necessary;
e. Minimizing obstruction area; and
f. Hold harmless/maintenance agreement.
5. In determining whether to issue a right-of-way permit to allow a temporary obstruction, the city engineer may issue such a permit only after finding that the following criteria have been satisfied:
a. The obstruction will not unreasonably impair the safety of people using the right-of-way and nearby residents;
b. The obstruction will not unreasonably hinder the efficiency of traffic affected by the obstruction;
c. No alternative locations are available that would not require use of the public right-of-way; and
d. Any other factor that the city engineer deems relevant.
6. The permittee shall post a weatherproof copy of the temporary obstruction permit in plain view from the right-of-way.
C. Fees. The fee for obtaining a right-of-way permit for either a permanent obstruction or a temporary obstruction shall be set by resolution of the commission.
Applicant's Response: N/A, no permanent obstruction anticipated.

12.04.160 - Street vacations—Restrictions.
The commission, upon hearing such petition, may grant the same in whole or in part, or may deny the same in whole or in part, or may grant the same with such reservations as would appear to be for the public interest, including reservations pertaining to the maintenance and use of underground public utilities in the portion vacated.
Applicant's Response: N/A, no street vacation anticipated.

12.04.170 - Street design—Purpose and general provisions.
All development shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the city's public facility master plan and city design standards and specifications. In reviewing applications for development, the city engineer shall take into consideration any approved development and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated with any development must be reviewed and approved by the city engineer prior to

construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.

Applicant's Response: All public ROW and utility work has been designed by a professional engineer and included in the permit package for official review.

12.04.175 - Street design—Generally.

The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, overlay districts, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. The arrangement of streets shall either:

A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;

B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. Access control in accordance with [Chapter] 12.04 shall be required to preserve the objectives of street extensions.

Applicant's Response: N/A, no full street design is required for this project.

12.04.180 - Street design.

All development regulated by this chapter shall provide street improvements in compliance with the standards in Figure 12.04.180 depending on the street classification set forth in the Transportation System Plan and the Comprehensive Plan designation of the adjacent property, unless an alternative plan has been adopted. The standards provided below are maximum design standards and may be reduced with an alternative street design which may be approved based on the modification criteria in [Section] 12.04.007. The steps for reducing the maximum design below are found in the Transportation System Plan.

Table 12.04.180 Street Design

To read the table below, select the road classification as identified in the Transportation System Plan and the Comprehensive Plan designation of the adjacent properties to find the maximum design standards for the road cross section. If the Comprehensive Plan designation on either side of the street differs, the wider right-of-way standard shall apply.

Road Classification	*Comprehensive Plan Designation*	*Right-of-Way Width*	*Pavement Width*	*Public Access*	*Sidewalk*	*Landscape Strip*	*Bike Lane*	*Street Parking*	*Travel Lanes*	*Median*
Major Arterial	*Mixed Use, Commercial or Public/Quasi Public*	*116 ft.*	*94 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*6 ft.*	*8 ft.*	*(5) 12 ft. Lanes*	*6 ft.*
	Industrial	*120 ft.*	*88 ft.*	*0.5 ft.*	*5 ft.*	*10.5 ft.*	*6 ft.*	*N/A*	*(5) 14 ft. Lanes*	*6 ft.*

	Residential	*126 ft.*	*94 ft.*	*0.5 ft.*	*5 ft.*	*10.5 ft.*	*6 ft.*	*8 ft.*	*(5) 12 ft. Lanes*	*6 ft.*

Road Classification	*Comprehensive Plan Designation*	*Right-of-Way Width*	*Pavement Width*	*Public Access*	*Sidewalk*	*Landscape Strip*	*Bike Lane*	*Street Parking*	*Travel Lanes*	*Median*
Minor Arterial	*Mixed Use, Commercial or Public/Quasi Public*	*116 ft.*	*94 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*6 ft.*	*8 ft.*	*(5) 12 ft. Lanes*	*6 ft.*
	Industrial	*118 ft.*	*86 ft.*	*0.5 ft.*	*5 ft.*	*10.5 ft.*	*6 ft.*	*7 ft.*	*(5) 12 ft. Lanes*	*N/A*
	Residential	*100 ft.*	*68 ft.*	*0.5 ft.*	*5 ft.*	*10.5 ft.*	*6 ft.*	*7 ft.*	*(3) 12 ft. Lanes*	*6 ft.*

Road Classification	*Comprehensive Plan Designation*	*Right-of-Way Width*	*Pavement Width*	*Public Access*	*Sidewalk*	*Landscape Strip*	*Bike Lane*	*Street Parking*	*Travel Lanes*	*Median*
Collector	*Mixed Use, Commercial or Public/Quasi Public*	*86 ft.*	*64 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*6 ft.*	*8 ft.*	*(3) 12 ft. Lanes*	*N/A*
	Industrial	*88 ft.*	*62 ft.*	*0.5 ft.*	*5 ft.*	*7.5 ft.*	*6 ft.*	*7 ft.*	*(3) 12 ft. Lanes*	*N/A*
	Residential	*85 ft.*	*59 ft.*	*0.5 ft.*	*5 ft.*	*7.5 ft.*	*6 ft.*	*7 ft.*	*(3) 11 ft. Lanes*	*N/A*

Road	*Comprehensi*	*Right*	*Paveme*	*Publi*	*Sidewal*	*Landsca*	*Bike*	*Street*	*Trav*	*Media*

Classification	*ve Plan Designation*	*-of-Way Width*	*nt Width*	*c Access*	*k*	*pe Strip*	*Lane*	*Parking*	*el Lanes*	*n*
Local	*Mixed Use, Commercial or Public/Quasi Public*	*62 ft.*	*40 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*N/A*	*8 ft.*	*(2) 12 ft. Lanes*	*N/A*
	Industrial	*60 ft.*	*38 ft.*	*0.5 ft.*	*5 ft.*	*5.5 ft.*	*(2) 19 ft. Shared Space*			*N/A*
	Residential	*54 ft.*	*32 ft.*	*0.5 ft.*	*5 ft.*	*5.5 ft.*	*(2) 16 ft. Shared Space*			*N/A*

1. Pavement width includes, bike lane, street parking, travel lanes and median.
2. Public access, sidewalks, landscape strips, bike lanes and on-street parking are required on both sides of the street in all designations. The right-of-way width and pavement widths identified above include the total street section.
3. A 0.5 foot curb is included in landscape strip or sidewalk width.
4. Travel lanes may be through lanes or turn lanes.
5. The 0.5 foot public access provides access to adjacent public improvements.
6. Alleys shall have a minimum right-of-way width of twenty feet and a minimum pavement width of sixteen feet. If alleys are provided, garage access shall be provided from the alley.
Applicant's Response: N/A, no full street design is required for this project.

12.04.185 - Street design—Access control.
A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the city as a city controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property.
B. The city may grant a permit for the adjoining owner to access through the access control.
C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."
D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."
Applicant's Response: N/A, no full street design is required for this project.

12.04.190 - Street design—Alignment.
The centerline of streets shall be:
A. Aligned with existing streets by continuation of the centerlines; or
B. Offset from the centerline by no more than five (5) feet, provided appropriate mitigation, in the judgment of the city engineer, is provided to ensure that the offset intersection will not pose a safety hazard.
Applicant's Response: N/A, no full street design is required for this project.

12.04.194 - Traffic sight obstructions.
All new streets shall comply with the Traffic Sight Obstructions in Chapter 10.32.
Applicant's Response: N/A, no full street design is required for this project.

12.04.195 - Spacing standards.
A. All new streets shall be designed as local streets unless otherwise designated as arterials and collectors in Figure 8 in the transportation system plan. The maximum block spacing between streets is five hundred thirty feet and the minimum block spacing between streets is one hundred fifty feet as measured between the right-of-way centerlines. If the maximum block size is exceeded, pedestrian accessways must be provided every three hundred thirty feet. The spacing standards within this section do not apply to alleys.
B. All new development and redevelopment shall meet the minimum driveway spacing standards identified in Table 12.04.195.B.

Table 12.04.195.B Minimum Driveway Spacing Standards		
Street Functional Classification	*Minimum Driveway Spacing Standards*	*Distance*
Major Arterial Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*175 ft.*
Minor Arterial Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*175 ft.*
Collector Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*100 ft.*
Local Streets	*Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings*	*25 ft.*

The distance from a street corner to a driveway is measured along the right-of-way from the edge of the intersection right-of-way to the nearest portion of the driveway and the distance between driveways is measured at the nearest portions of the driveway at the right-of-way.
Applicant's Response: N/A, no full street design is required for this project.

12.04.199 - Pedestrian and bicycle accessways.
Pedestrian/bicycle accessways are intended to provide direct, safe and convenient connections between residential areas, retail and office areas, institutional facilities, industrial parks, transit streets, neighborhood activity centers, rights-of-way, and pedestrian/bicycle accessways which minimize out-of-direction travel, and transit-orientated developments where public street connections for automobiles, bicycles and pedestrians are unavailable. Pedestrian/bicycle accessways are appropriate in areas where public street options are unavailable, impractical or inappropriate. Pedestrian and bicycle accessways are required through private property or as right-of-way connecting development to the right-of-way at intervals not exceeding three hundred thirty feet of frontage; or where the lack of street continuity creates inconvenient or out of direction travel patterns for local pedestrian or bicycle trips.
A. Entry points shall align with pedestrian crossing points along adjacent streets and with adjacent street intersections.
Applicant's Response: N/A, no full street design is required for this project.

B. Accessways shall be free of horizontal obstructions and have a nine-foot, six-inch high vertical clearance to accommodate bicyclists. To safely accommodate both pedestrians and bicycles, accessway right-of-way widths shall be as follows:

1. Accessways shall have a fifteen-foot-wide right-of-way with a seven-foot wide paved surface between a five-foot planter strip and a three-foot planter strip.
2. If an accessway also provides secondary fire access, the right-of-way width shall be at least twenty-three feet wide with a fifteen-foot paved surface a five-foot planter strip and a three-foot planter strip.
Applicant's Response: N/A, no full street design is required for this project.

C. Accessways shall be direct with at least one end point of the accessway always visible from any point along the accessway. On-street parking shall be prohibited within fifteen feet of the intersection of the accessway with public streets to preserve safe sight distance and promote safety.
Applicant's Response: N/A, no full street design is required for this project.

D. To enhance pedestrian and bicycle safety, accessways shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of one-half-foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances.
Applicant's Response:

E. Accessways shall comply with Americans with Disabilities Act (ADA).
Applicant's Response: N/A, no full street design is required for this project.

F. The planter strips on either side of the accessway shall be landscaped along adjacent property by installation of the following:
1. Within the three-foot planter strip, an evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average;
2. Ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees;
3. Within the five-foot planter strip, two-inch minimum caliper trees with a maximum of thirty-five feet of separation between the trees to increase the tree canopy over the accessway;
4. In satisfying the requirements of this section, evergreen plant materials that grow over forty-two inches in height shall be avoided. All plant materials shall be selected from the Oregon City Native Plant List.
Applicant's Response: N/A, no full street design is required for this project.

G. Accessways shall be designed to prohibit unauthorized motorized traffic. Curbs and removable, lockable bollards are suggested mechanisms to achieve this.
Applicant's Response: N/A, no full street design is required for this project.

H. Accessway surfaces shall be paved with all-weather materials as approved by the city. Pervious materials are encouraged. Accessway surfaces shall be designed to drain stormwater runoff to the side or sides of the accessway. Minimum cross slope shall be two percent.
Applicant's Response: N/A, no full street design is required for this project.

I. In parks, greenways or other natural resource areas, accessways may be approved with a five-foot wide gravel path with wooden, brick or concrete edgings.
Applicant's Response: N/A, no full street design is required for this project.

J. The community development director may approve an alternative accessway design due to existing site constraints through the modification process set forth in Section 12.04.007.
Applicant's Response: N/A, no full street design is required for this project.

K. Ownership, liability and maintenance of accessways. To ensure that all pedestrian/bicycle accessways will be adequately maintained over time, the hearings body shall require one of the following:
1. Dedicate the accessways to the public as public right-of-way prior to the final approval of the development; or
2. The developer incorporates the accessway into a recorded easement or tract that specifically requires the property owner and future property owners to provide for the ownership, liability and maintenance of the accessway.

Applicant's Response: N/A, no full street design is required for this project.

12.04.200 - Reserved.

Editor's note— Ord. No. 13-1003, § 1, Exhibit 1, adopted July 17, 2013, repealed § 12.04.200 in its entirety. Former § 12.04.200 pertained to "Street Design—Constrained local streets and/or rights-of-way." See Prior Code Cross-Reference Table and Code Comparative Table and Disposition List for derivation.

Applicant's Response: N/A, no full street design is required for this project.

12.04.205 - Mobility standards.

Development shall demonstrate compliance with intersection mobility standards. When evaluating the performance of the transportation system, the City of Oregon City requires all intersections, except for the facilities identified in subsection D below, to be maintained at or below the following mobility standards during the two-hour peak operating conditions. The first hour has the highest weekday traffic volumes and the second hour is the next highest hour before or after the first hour. Except as provided otherwise below, this may require the installation of mobility improvements as set forth in the transportation system plan or as otherwise identified by the city transportation engineer.

A. For intersections within the regional center, the following mobility standards apply:

1. During the first hour, a maximum v/c ratio of 1.10 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.

2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.

3. Intersections located on the Regional Center boundary shall be considered within the Regional Center.

B. For intersections outside of the Regional Center but designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:

1. During the first hour, a maximum v/c ratio of 0.99 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.

2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.

C. For intersections outside the boundaries of the Regional Center and not designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:

1. For signalized intersections:

a. During the first hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.

b. During the second hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.

2. For unsignalized intersections outside of the boundaries of the Regional Center:

a. For unsignalized intersections, during the peak hour, all movements serving more than twenty vehicles shall be maintained at LOS "E" or better. LOS "F" will be tolerated at movements serving no more than twenty vehicles during the peak hour.

D. Until the city adopts new performance measures that identify alternative mobility targets, the city shall exempt proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, from compliance with the above-referenced mobility standards for the following state-owned facilities:

I-205/OR 99E Interchange

I-205/OR 213 Interchange

OR 213/Beavercreek Road

State intersections located within or on the Regional Center Boundaries

1. In the case of conceptual development approval for a master plan that impacts the above references intersections:

a. The form of mitigation will be determined at the time of the detailed development plan review for subsequent phases utilizing the Code in place at the time the detailed development plan is submitted; and
b. Only those trips approved by a detailed development plan review are vested.
2. Development which does not comply with the mobility standards for the intersections identified in [Section] 12.04.205.D shall provide for the improvements identified in the Transportation System Plan (TSP) in an effort to improve intersection mobility as necessary to offset the impact caused by development. Where required by other provisions of the Code, the applicant shall provide a traffic impact study that includes an assessment of the development's impact on the intersections identified in this exemption and shall construct the intersection improvements listed in the TSP or required by the Code.
Applicant's Response: N/A, no full street design is required for this project.

12.04.210 - Street design—Intersection angles.
Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the city engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point.
Applicant's Response: N/A, no full street design is required for this project.

12.04.215 - Street design—Off-site street improvements.
During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the city's applicable planned minimum design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.
Applicant's Response: Additional ROW dedication is included to allow for a city standard ROW with green strip and sidewalk.

12.04.220 - Street design—Half street.
Half streets, while generally not acceptable, may be approved where essential to the development, when in conformance with all other applicable requirements, and where it will not create a safety hazard. When approving half streets, the decision maker must first determine that it will be practical to require the dedication of the other half of the street when the adjoining property is divided or developed. Where the decision maker approves a half street, the applicant must construct an additional ten feet of pavement width so as to make the half street safe and usable until such time as the other half is constructed. Whenever a half street is adjacent to property capable of being divided or developed, the other half of the street shall be provided and improved when that adjacent property divides or develops. Access control may be required to preserve the objectives of half streets.
When the remainder of an existing half-street improvement is made it shall include the following items: dedication of required right-of-way, construction of the remaining portion of the street including pavement, curb and gutter, landscape strip, sidewalk, street trees, lighting and other improvements as required for that particular street. It shall also include at a minimum the pavement replacement to the centerline of the street. Any damage to the existing street shall be repaired in accordance with the city's "Moratorium Pavement Cut Standard" or as approved by the city engineer.
Applicant's Response: N/A, no half street included in project.

12.04.225 - Street design—Cul-de-sacs and dead-end streets.
The city discourages the use of cul-de-sacs and permanent dead-end streets except where construction of a through street is found by the decision maker to be impracticable due to topography or some significant physical constraint such as geologic hazards, wetland, natural or historic resource areas, dedicated open space, existing development patterns, arterial access restrictions or similar situation as determined by the community development director. When permitted, access from new cul-de-sacs and permanent dead-end streets shall be limited to a maximum of

twenty-five dwelling units and a maximum street length of two hundred feet, as measured from the right-of-way line of the nearest intersecting street to the back of the cul-de-sac curb face. In addition, cul-de-sacs and dead end roads shall include pedestrian/bicycle accessways as required in this chapter. This section is not intended to preclude the use of curvilinear eyebrow widening of a street where needed.

Where approved, cul-de-sacs shall have sufficient radius to provide adequate turn-around for emergency vehicles in accordance with fire district and city adopted street standards. Permanent dead-end streets other than cul-de-sacs shall provide public street right-of-way/easements sufficient to provide turn-around space with appropriate no-parking signs or markings for waste disposal, sweepers, and other long vehicles in the form of a hammerhead or other design to be approved by the decision maker. Driveways shall be encouraged off the turnaround to provide for additional on-street parking space.

Applicant's Response: N/A, no street design required for project.

12.04.230 - Street design—Street names.

Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names shall conform to the established standards in the city and shall be subject to the approval of the city.

Applicant's Response: N/A, no street design required for project.

12.04.235 - Street design—Grades and curves.

Grades and center line radii shall conform to the standards in the city's street design standards and specifications.

Applicant's Response: N/A, no street design required for project.

12.04.240 - Street design—Development abutting arterial or collector street.

Where development abuts or contains an existing or proposed arterial or collector street, the decision maker may require: access control; screen planting or wall contained in an easement or otherwise protected by a restrictive covenant in a form acceptable to the decision maker along the rear or side property line; or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic. Reverse frontage lots with suitable depth may also be considered an option for residential property that has arterial frontage. Where access for development abuts and connects for vehicular access to another jurisdiction's facility then authorization by that jurisdiction may be required.

Applicant's Response: N/A, no street design required for project.

12.04.245 - Street design—Pedestrian and bicycle safety.

Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.

All crosswalks shall include a large vegetative or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The decision maker may approve an alternative design that achieves the same standard for constrained sites or where deemed unnecessary by the city engineer.

Applicant's Response: N/A, no street design required for project.

12.04.255 - Street design—Alleys.

Public alleys shall be provided in the following districts R-5, R-3.5, R-2, MUC-1, MUC-2 and NC zones unless other permanent provisions for private access to off-street parking and loading facilities are approved by the decision maker. The corners of alley intersections shall have a radius of not less than ten feet.

Applicant's Response: N/A, no street design required for project.

12.04.260 - Street design—Transit.

Streets shall be designed and laid out in a manner that promotes pedestrian and bicycle circulation. The applicant shall coordinate with transit agencies where the application impacts transit streets as identified in [Section] 17.04.1310. Pedestrian/bicycle access ways shall be provided as necessary in Chapter 12.04 to minimize the travel distance to transit streets and stops and neighborhood activity centers. The decision maker may require provisions, including easements, for transit facilities along transit streets where a need for bus stops, bus pullouts or other transit facilities within or adjacent to the development has been identified.

Applicant's Response: N/A, no street design required for project.

12.04.265 - Street design—Planter strips.
All development shall include vegetative planter strips that are five feet in width or larger and located adjacent to the curb. This requirement may be waived or modified if the decision maker finds it is not practicable. The decision maker may permit constrained sites to place street trees on the abutting private property within ten feet of the public right-of-way if a covenant is recorded on the title of the property identifying the tree as a city street tree which is maintained by the property owner. Development proposed along a collector, minor arterial, or major arterial street may use tree wells with root barriers located near the curb within a wider sidewalk in lieu of a planter strip, in which case each tree shall have a protected area to ensure proper root growth and reduce potential damage to sidewalks, curbs and gutters.
To promote and maintain the community tree canopy adjacent to public streets, trees shall be selected and planted in planter strips in accordance with Chapter 12.08, Street Trees. Individual abutting lot owners shall be legally responsible for maintaining healthy and attractive trees and vegetation in the planter strip. If a homeowners' association is created as part of the development, the association may assume the maintenance obligation through a legally binding mechanism, e.g., deed restrictions, maintenance agreement, etc., which shall be reviewed and approved by the city attorney. Failure to properly maintain trees and vegetation in a planter strip shall be a violation of this code and enforceable as a civil infraction.
Applicant's Response: A 5' (including curb) planter strip has been included in the design per City engineer requirements. This is a green strip with tree wells and paving in between.

12.04.270 - Standard construction specifications.
The workmanship and materials for any work performed under permits issued per this chapter shall be in accordance with the edition of the "Oregon Standard Specifications for Construction" as prepared by the Oregon Department of Transportation (ODOT) and the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city in accordance with this ordinance, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Street Design Drawings provide other design details, in which case the requirements of this chapter and the Public Works Street Design Drawings shall be complied with. In the case of work within ODOT or Clackamas County rights-of-way, work shall be in conformance with their respective construction standards.
Applicant's Response: These specifications have been called out in the project cover sheet notes.

Chapter 12.08 - PUBLIC AND STREET TREES[2]

12.08.015 - Street tree planting and maintenance requirements.
All new construction or major redevelopment shall provide street trees adjacent to all street frontages. Species of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List or be approved by a certified arborist. If a setback sidewalk has already been constructed or the Development Services determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed within the front yard setback, exclusive of any utility easement.
Applicant's Response: There are three trees proposed in a designated 4.5' width area between the sidewalk and the street in separate tree wells, as per City Engineer's direction. The tree species proposed was selected from the Oregon City Street Tree List for planting in 4.5'-5.5' planting strips.

A. One street tree shall be planted for every thirty-five feet of property frontage. The tree spacing shall be evenly distributed throughout the total development frontage. The community development director may approve an alternative street tree plan if site or other constraints prevent meeting the placement of one street tree per thirty-five feet of property frontage.
Applicant's Response: Three street trees are proposed along the frontage. The number of trees had to be reduced based on the 35' feet spacing requirements due to the limited frontage and driveway encroachment on the tree spacing.

B. The following clearance distances shall be maintained when planting trees:

1. Fifteen feet from streetlights;
2. Five feet from fire hydrants;
3. Twenty feet from intersections;
4. A minimum of five feet (at mature height) below power lines.
Applicant's Response: :
Proposed trees are no less than 15 feet from streetlights.
Proposed trees are no less than 5 feet from fire hydrants.
Proposed trees are no less than 20 feet from intersections.
Proposed trees are not below existing power lines.

C. All trees shall be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications.
Applicant's Response: : Proposed trees are specified to be no less than 2" caliper at six inches above the root crown. Contractor will be directed to install trees to city specifications.

D. All established trees shall be pruned tight to the trunk to a height that provides adequate clearance for street cleaning equipment and ensures ADA complaint clearance for pedestrians.
Applicant's Response: Owner will ensure the above pruning requirements for street cleaning equipment and ADA compliant clearance for pedestrians.

12.08.020 - Street tree species selection.
The community development director may specify the species of street trees required to be planted if there is an established planting scheme adjacent to a lot frontage, if there are obstructions in the planting strip, or if overhead power lines are present.
Applicant's Response: There is no established planting scheme adjacent to the lot frontage, obstructions in the planting strip or overhead power lines.

12.08.035 - Public tree removal.
Existing street trees shall be retained and protected during construction unless removal is specified as part of a land use approval or in conjunction with a public facilities construction project, as approved by the community development director. A diseased or hazardous street tree, as determined by a registered arborist and verified by the City, may be removed if replaced. A non-diseased, non-hazardous street tree that is removed shall be replaced in accordance with the Table 12.08.035.
All new street trees will have a minimum two-inch caliper trunk measured six inches above the root crown. The community development director may approve off-site installation of replacement trees where necessary due to planting constraints. The community development director may additionally allow a fee in-lieu of planting the tree(s) to be placed into a city fund dedicated to planting trees in Oregon City in accordance with Oregon City Municipal Code 12.08.
Table 12.08.035

Replacement Schedule for Trees Determined to be Dead, Diseased or Hazardous by a Certified Arborist		*Replacement Schedule for Trees Not Determined to be Dead, Diseased or Hazardous by a Certified Arborist*	
Diameter of tree to be Removed (Inches of diameter at 4-ft height)	*Number of Replacement Trees to be Planted*	*Diameter of tree to be Removed (Inches of diameter at 4-ft height)*	*Number of Replacement Trees to be Planted*
Any Diameter	*1 Tree*	*Less than 6"*	*1 Tree*
		6" to 12"	*2 Trees*
		13" to 18"	*3 Trees*

		19" to 24"	*4 Trees*
		25" to 30"	*5 Trees*
		31" and over	*8 Trees*

Applicant's Response: No public street trees shall be removed for this project

12.08.040 - Heritage Trees and Groves.
A. Purpose. Certain trees, because of their age, species, natural resource value, ecological or historical association, are of special importance to the city. These trees may live on private or public property.
1. The purpose of this chapter is to recognize, foster appreciation and provide for voluntary protection of Heritage Trees.
2. In particular, the following trees are shall be considered significant, and therefore eligible for heritage tree nomination in Oregon City, if they meet the minimum size requirements of the table below:
Tree Eligibility based on Size

Species	*Common Name*	*Size (d.b.h)*
Quercus garrayana	*Oregon white oak*	*8"*
Pseudotsuga menziesii	*Douglas-fir*	*18"*
Thuja plicata	*Western red cedar*	*12"*
Pinus ponderosa	*Ponderosa pine*	*12"*
Taxus brevifolia	*Western yew*	*6"*
Other deciduous and horticultural tree species		*20"*
Other evergreen and conifer trees		*18"*

D. Criteria.
1. The city commission may designate a tree or grove as a Heritage Tree or Heritage Grove if the commission determines that the following criteria are met:
a. The tree or grove is of landmark importance to the City of Oregon City due to age, size, species, horticultural quality or historic importance; or
b. It is listed as a State Heritage Tree, as designated by the state division of forest resources; or
c. It is a rare species, or provides a habitat for rare species of plants, animals or birds; and
d. The tree is not irreparably damaged, diseased, hazardous or unsafe, or the applicant is willing to have the tree treated by an arborist and the treatment will alleviate the damage, disease or hazard;
E. Protection of Heritage Trees and Groves.
1. No Heritage Tree or Grove may be removed, topped, or otherwise altered unless permitted by this section.
2. An application to remove a Heritage Tree or Grove shall demonstrate that the burden imposed on the property owner, or, if the tree is located within the public right-of-way under city jurisdiction, then the burden imposed on the city by the continued presence of the tree outweighs the public benefit provided by the tree. For the purposes of making this determination, the following tree impacts shall not be considered unreasonable burdens on the property owner, or if appropriate, the city:
a. View obstruction;
b. Routine pruning, leaf raking and other maintenance activities; and
c. Infrastructure impacts or tree hazards that can be controlled or avoided by appropriate pruning or maintenance.
3. Unless the tree is permitted to be removed due to poor health or hazard pursuant to Section 12.08.042, the applicant shall be required to mitigate for the loss of the tree pursuant to Table 12.08.042.

4. Any person who removes a Heritage Tree or Grove in violation of this chapter shall be subject to the penalties provided in this chapter.
F. Recognition of Heritage Trees and Groves.
1. A Heritage Tree plaque may be designed and furnished by the city to the property owner, or if the tree is in the public right-of-way, to the appropriate city official, of a designated Heritage Tree or Grove. The city may charge a fee to cover the costs of the providing the plaque. The plaque shall be posted at a location at or near the tree or grove and, if feasible, visible from a public right-of-way.
2. The community development director shall maintain a list and map of designated Heritage Trees and Groves.
G. Removal of Heritage Tree or Grove Designation.
1. A Heritage Tree or Grove may be removed from designation if it dies or is removed pursuant to this chapter. If removed from private property, the city shall record a document extinguishing the covenant.
Applicant's Response: No Heritage trees are on this property

12.08.045 - Gifts and funding.
The City of Oregon City may accept gifts, which are specifically designated for the purpose of planting or maintaining trees within the city. the community development director may allow a fee in-lieu of planting the tree(s) to be placed into a city fund dedicated to planting trees in Oregon City. The community development director may determine the type, caliper and species of the trees purchased with the fund. The cost of each tree may be adjusted annually based upon current market prices for materials and labor as calculated by the community development director. A separate fund shall be established and maintained for revenues and expenditures created by activities specified in this chapter. The natural resources committee shall have authority on behalf of the city to seek grants and alternative funding for tree projects. Funds from such grant awards shall be administered by the city pursuant to this section.
Applicant's Response: N/A, no gifting intended.

Chapter 13.12 - STORMWATER MANAGEMENT

13.12.050 - Applicability and exemptions.

This chapter establishes performance standards for stormwater conveyance, quantity and quality. Additional performance standards for erosion prevention and sediment control are established in OCMC 17.47.

A. Stormwater Conveyance. The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:
   1. The conveyance facilities are located entirely on one privately owned parcel;
   2. The conveyance facilities are privately maintained; and
   3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits.

Those facilities exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the building official.
Applicant's Response: Stormwater management is not required for this project based on city standards as the total impervious surface is less than 5000 square feet. In coordination with the city engineer the entire parking lot is proposed to be paved with permeable pavement.

B. Water Quality and Flow Control. The water quality and flow control requirements of this chapter shall apply to the following proposed uses or developments, unless exempted under subsection C:
   1. Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given five-year period; or
   2. Activities that create or replace more than five thousand square feet of impervious surface per parcel or lot, cumulated over any given five-year period.

Applicant's Response: **Stormwater management is not required for this project based on city standards as the total impervious surface is less than 5000 square feet. In coordination with the city engineer the entire parking lot is proposed to be paved with permeable pavement.**

C. Exemptions. The following exemptions to subsection B of this section apply:

1. *An exemption to the flow control requirements of this chapter will be granted when the development site discharges to the Willamette River, Clackamas River or Abernethy Creek; and either lies within the one hundred-year floodplain or is up to ten feet above the design flood elevation as defined in Chapter 17.42, provided that the following conditions are met:*
    a. *The project site is drained by a conveyance system that is comprised entirely of manmade elements (e.g. pipes, ditches, culverts outfalls, outfall protection, etc.) and extends to the ordinary high water line of the exempt receiving water; and*
    b. *The conveyance system between the project site and the exempt receiving water has sufficient hydraulic capacity and erosion stabilization measures to convey discharges from the proposed conditions of the project site and the existing conditions from non-project areas from which runoff is collected.*
2. *Projects in the following categories are generally exempt from the water quality and flow control requirements:*
    a. *Stream enhancement or restoration projects approved by the city.*
    b. *Farming practices as defined by ORS 30.960 and farm use as defined in ORS 214.000; except that buildings associated with farm practices and farm use are subject to the requirements of this chapter.*
    c. *Actions by a public utility or any other governmental agency to remove or alleviate an emergency condition.*
    d. *Road and parking area preservation/maintenance projects such as pothole and square cut patching, surface sealing, replacing or overlaying of existing asphalt or concrete pavement, provided the preservation/maintenance activity does not expand the existing area of impervious coverage above the thresholds in subsection B of this section.*
    e. *Pedestrian and bicycle improvements (sidewalks, trails, pathways, and bicycle paths/lands) where no other impervious surfaces are created or replaced, built to direct stormwater runoff to adjacent vegetated areas.*
    f. *Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics.*
    g. *Maintenance or repair of existing utilities.*

Applicant's Response: **N/A, no exemptions pursued.**

D. Uses Requiring Additional Management Practices. In addition to any other applicable requirements of this chapter, the following uses are subject to additional management practices, as defined in the Public Works Stormwater and Grading Design Standards:

1. *Bulk petroleum storage facilities;*
2. *Above ground storage of liquid materials;*
3. *Solid waste storage areas, containers, and trash compactors for commercial, industrial, or multi-family uses;*
4. *Exterior storage of bulk construction materials;*
5. *Material transfer areas and loading docks;*
6. *Equipment and/or vehicle washing facilities;*
7. *Development on land with suspected or known contamination;*
8. *Covered vehicle parking for commercial or industrial uses;*
9. *Industrial or commercial uses locating in high traffic areas, defined as average daily count trip of two thousand five hundred or more trips per day; and*
10. *Land uses subject to DEQ 1200-Z Industrial Stormwater Permit Requirements.*

Applicant's Response: **Project does not fall within these categories.**

13.12.080 - Submittal requirements.

A. Applications subject to stormwater conveyance, water quality, and/or flow control requirements of this chapter shall prepare engineered drainage plans, drainage reports, and design flow calculation reports in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards.

B. Each project site, which may be composed of one or more contiguous parcels of land, shall have a separate valid city approved plan and report before proceeding with construction.

Applicant's Response: Stormwater management is not required for this project based on city standards as the total impervious surface is less than 5000 square feet. In coordination with the city engineer the entire parking lot is proposed to be paved with permeable pavement.

13.12.090 - Approval criteria for engineered drainage plans and drainage report.

An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:

A. The plan and report demonstrate how the proposed development and stormwater facilities will accomplish the purpose statements of this chapter.

B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under Section 13.12.020.

C. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.

D. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams.

E. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.

Applicant's Response: Stormwater management is not required for this project based on city standards as the total impervious surface is less than 5000 square feet. In coordination with the city engineer the entire parking lot is proposed to be paved with permeable pavement.

13.12.100 - Alternative materials, alternative design and methods of construction.

The provisions of this chapter are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this chapter or the Public Works Stormwater and Grading Design Standards, provided any alternate has been approved and its use authorized by the city engineer. The city engineer may approve any such alternate, provided that the city engineer finds that the proposed design is satisfactory and complies with the intent of this chapter and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed by this chapter in effectiveness, suitability, strength, durability and safety. The city engineer shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the city files.

Applicant's Response: N/A, no alternative materials are being used.

13.12.120 - Standard construction specifications.

The workmanship and materials shall be in accordance with the edition of the "Standard Specifications for Public Works Construction," as prepared by the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Stormwater and Grading Design Standards provide other design details, in which case the requirements of this chapter and the Public Works Stormwater and Grading Design Standards shall be complied with.

Applicant's Response: a NOTE WAS ADDED TO THE COVER SHEET STATING THESE REQUIREMENTS.

CHAPTER 15.48 - GRADING, FILLING AND EXCAVATING

15.48.030 Applicability—Grading permit required.
A. A city-issued grading permit shall be required before the commencement of any of the following filling or grading activities:
1. Grading activities in excess of ten cubic yards of earth;
2. Grading activities which may result in the diversion of existing drainage courses, both natural and man-made, from their natural point of entry or exit from the grading site;
3. Grading and paving activities resulting in the creation of impervious surfaces greater than two thousand square feet or more in area;
4. Any excavation beyond the limits of a basement or footing excavation, having an unsupported soil height greater than five feet after the completion of such a structure; or
5. Grading activities involving the clearing or disturbance of one-half acres (twenty-one thousand seven hundred eighty square feet) or more of land.
Applicant's Response: A grading permit will be required based on the overall anticipated grading volume.

15.48.090 Submittal requirements.
An engineered grading plan or an abbreviated grading plan shall be prepared in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards whenever a city approved grading permit is required. In addition, a geotechnical engineering report and/or residential lot grading plan may be required pursuant to the criteria listed below.
A. Abbreviated Grading Plan. The city shall allow the applicant to submit an abbreviated grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards if the following criteria are met:
1. No portion of the proposed site is within the flood management area overlay district pursuant to Chapter 17.42, the unstable soils and hillside constraints overlay district pursuant to Chapter 17.44, or a water quality resource area pursuant to Chapter 17.49; and
2. The proposed filling or grading activity does not involve more than fifty cubic yards of earth.
B. Engineered Grading Plan. The city shall require an engineered grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer if the proposed activities do not qualify for abbreviated grading plan.
C. Geotechnical Engineering Report. The city shall require a geotechnical engineering report in compliance with the minimum report requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer who specializes in geotechnical work when any of the following site conditions may exist in the development area:
1. When any publicly maintained facility (structure, street, pond, utility, park, etc.) will be supported by any engineered fill;
2. When an embankment for a stormwater pond is created by the placement of fill;
3. When, by excavation, the soils remaining in place are greater than three feet high and less than twenty feet wide.
D .Residential Lot Grading Plan. The city shall require a residential lot grading plan in compliance with the minimum report requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer for all land divisions creating new residential building lots or where a public improvement project is required to provide access to an existing residential lot.
Applicant's Response: A grading plan has been developed by a professional engineer and is accompanied by a geotechnical report, there is no flood concern for the project.

CHAPTER 17.47 - EROSION AND SEDIMENT CONTROL

17.47.070 Erosion and sediment control plans.
A. An application for an erosion and sediment control permit shall include an erosion and sediment control plan, which contains methods and interim measures to be used during and following construction to prevent or control erosion prepared in compliance with City of Oregon City public works standards for erosion and sediment control. These standards are incorporated herein and made a part of this title and are on file in the office of the city recorder.

Applicant's Response: **An erosion control plan and details are provided, developed by a professional engineer.**

CHAPTER 17.41 - TREE PROTECTION STANDARDS

17.41.020 - Tree protection—Applicability.
1. Applications for development subject to Chapters 16.08 or 16.12 (Subdivision or Minor Partition) or Chapter 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments.
2. For public capital improvement projects, the city engineer shall demonstrate compliance with these standards pursuant to a Type II process.
3. Tree canopy removal greater than twenty-five percent on sites greater than twenty-five percent slope, unless exempted under Section 17.41.040, shall be subject to these standards.
4. A heritage tree or grove which has been designated pursuant to the procedures ofChapter 12.08.050 shall be subject to the standards of this section.
Applicant's Response: **There are two trees on site that will be removed because of their poor condition. An arborist's report is provided. There are no trees on site to be saved and protected.**

17.41.030 - Tree protection—Conflicting code provisions.
Except as otherwise specified in this section, where these standards conflict with adopted city development codes or policies, the provision which provides the greater protection for regulated trees or groves, as defined in Section 17.04, shall govern.
Applicant's Response: **N/A, no conflicting code.**

17.41.040 - Same—Exemptions.
These regulations are not intended to regulate normal cutting, pruning and maintenance of trees on private property except where trees are located on lots that are undergoing development review or are otherwise protected within the Natural Resource Overlay District (NROD) of section 17.49. These standards are not intended to regulate farm and forest practices as those practices are defined under ORS 30.930. Farm or forest resources. An applicant for development may claim exemption from compliance with these standards if the development site containing the regulated grove or trees was a designated farm or forest use, tree farm, Christmas tree plantation, or other approved timber use within one year prior to development application. "Forest practices" and "forestlands" as used in this subsection shall have the meaning as set out in ORS 30.930. The community development director has the authority to modify or waive compliance in this case.
Applicant's Response: **N/A, no exemptions.**

17.41.050 - Same—Compliance options.
Applicants for review shall comply with these requirements through one or a combination of the following procedures:
A. Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to Sections 17.41.060 or 17.41.070. All replanted and saved trees shall be protected by a permanent restrictive covenant or easement approved in form by the city.
B. Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to Sections 17.41.080—17.41.100; or
C. Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to Sections 17.41.110—17.41.120; or
D. Option 4—Cash-in-lieu of planting pursuant to Section 17.41.130.
A regulated tree that has been designated for protection pursuant to this section must be retained or permanently protected unless it has been determined by a certified arborist to be diseased or hazardous, pursuant to the following applicable provisions.
The community development director, pursuant to a Type II procedure, may allow a property owner to cut a specific number of trees within a regulated grove if preserving those trees would:
1. Preclude achieving eighty percent of minimum density with reduction of lot size; or
2. Preclude meeting minimum connectivity requirements for subdivisions.
Applicant's Response: **N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.**

17.41.060 - Tree removal and replanting—Mitigation (Option 1).
A. Applicants for development who select this option shall ensure that all healthy trees shall be preserved outside the construction area as defined in Chapter 17.04to the extent practicable. Compliance with these standards shall be demonstrated in a tree mitigation plan report prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arborculture. At the applicant's expense, the city may require the report to be reviewed by a consulting arborist. The number of replacement trees required on a development site shall be calculated separately from, and in addition to, any public or street trees in the public right-of-way required under section 12.08—Community Forest and Street Trees.
B. The applicant shall determine the number of trees to be mitigated on the site by counting all of the trees six inch DBH (minimum four and one-half feet from the ground) or larger on the entire site and either:
1. Trees that are removed outside of the construction area, shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2; or
2. Diseased or hazardous trees, when the condition is verified by a certified arborist to be consistent with the definition in Section 17.04.1360, may be removed from the tree replacement calculation. Regulated healthy trees that are removed outside of the construction area, shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Regulated healthy trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2.
Table 17.41.060-1
Tree Replacement Requirements
All replacement trees shall be either:
Two-inch caliper deciduous, or
Six-foot high conifer

Size of tree removed (DBH)	*Column 1* *Number of trees to be planted.* *(If removed Outside of construction area)*	*Column 2* *Number of trees to be planted.* *(If removed Within the construction area)*
6 to 12"	*3*	*1*
13 to 18"	*6*	*2*
19 to 24"	*9*	*3*
25 to 30"	*12*	*4*
31 and over"	*15*	*5*

Steps for calculating the number of replacement trees:
1. Count all trees measuring six inches DBH (minimum four and one-half feet from the ground) or larger on the entire development site.
2. Designate (in certified arborists report) the condition and size (DBH) of all trees pursuant to accepted industry standards.
3. Document any trees that are currently diseased or hazardous.
4. Subtract the number of diseased or hazardous trees in step 3. from the total number of trees on the development site in step 1. The remaining number is the number of healthy trees on the site. Use this number to determine the number of replacement trees in steps 5. through 8.
5. Define the construction area (as defined in Chapter 17.04).
6. Determine the number and diameter of trees to be removed within the construction area. Based on the size of each tree, use Column 2 to determine the number of replacement trees required.
7. Determine the number and diameter of trees to be removed outside of the construction area. Based on the size of each tree, use Column 1 to determine the number of replacement trees required.

8. Determine the total number of replacement trees from steps 6. and 7.
Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

17.41.070 - Planting area priority for mitigation (Option 1).
Development applications which opt for removal of trees with subsequent replanting pursuant to section 17.41.050A. shall be required to mitigate for tree cutting by complying with the following priority for replanting standards below:
A. First Priority. Replanting on the development site.
B. Second Priority. Off-site replacement tree planting locations. If the community development director determines that it is not practicable to plant the total number of replacement trees on-site, a suitable off-site planting location for the remainder of the trees may be approved that will reasonably satisfy the objectives of this section. Such locations may include either publicly owned or private land and must be approved by the community development director.
Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

17.41.075 - Alternative mitigation plan.
The community development director may, subject to a Type II procedure, approve an alternative mitigation plan that adequately protects habitat pursuant to the standards for the natural resource overlay district alternative mitigation plan, Section 17.49.190.
Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

17.41.080 - Tree preservation within subdivisions and partitions—Dedicated tract (Option 2).
A. Applicants for new subdivision and partition plats may delineate and show the regulated trees or groves as either a separate tract or part of a larger tract that meets the requirements of subsection D. of this section.
B. The standards for land divisions subject to this section shall apply in addition to the requirements of the city land division ordinance and zoning ordinance, provided that the minimum lot area, minimum average lot width, and minimum average lot depth standards of the base zone may be superseded in order to allow for a reduction of dimensional standards pursuant to Section 17.41100 below.
C. Prior to preliminary plat approval, the regulated tree or grove area shall be shown either as a separate tract or part of a larger tract that meets the requirements of subsection D. of this section, which shall not be a part of any parcel used for construction of a structure. The size of the tract shall be the minimum necessary as recommended by a consulting arborist to adequately encompass the dripline of the tree, protect the critical root zone and ensure long term survival of the tree or grove.
D. Prior to final plat approval, ownership of the regulated tree or grove tract shall be identified to distinguish it from lots intended for sale. The tract may be identified as any one of the following:
1. Private open space held by the owner or a homeowners association; or
2. For residential land divisions, private open space subject to an easement conveying stormwater and surface water management rights to the city and preventing the owner of the tract from activities and uses inconsistent with the purpose of this document; or
3. At the owners option, public open space where the tract has been dedicated to the city or other governmental unit; or
4. Any other ownership proposed by the owner and approved by the community development director.
Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

17.41.090 - Density transfers incentive for tree protection tracts (Option 2).
A. The purpose of this section is to allow dimensional adjustments within a regulated tree protection tract to be transferred outside said tract to the remainder of the site. This provision applies on-site and density shall not be transferred beyond the boundaries of the development site.
B. Development applications for subdivisions and minor partitions that request a density transfer shall:
1. Provide a map showing the net buildable area of the tree protection tract;
2. Provide calculations justifying the requested dimensional adjustments;

3. Demonstrate that the minimum lot size requirements can be met based on an average of all lots created, including the tree protection tract created pursuant toSection 17.41.080;
4. Demonstrate that, with the exception of the tree protection tract created pursuant to Section 17.41.080, no parcels have been created which would be unbuildable in terms of minimum yard setbacks;
5. Meet all other standards of the base zone except as modified in section 17.41.100.
C. The area of land contained in a tree protection tract may be excluded from the calculations for determining compliance with minimum density requirements of the zoning code.
Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.
17.41.100 - Permitted modifications to dimensional standards (Option 2 only).
A. An applicant proposing to protect trees in a dedicated tract pursuant to section 17.41.080 may request, and the community development director, pursuant to a Type II procedure, may grant a reduction to, the lot size, width, depth, and setbacks of the underlying zone district in approving a subdivision or partition if necessary to retain a regulated tree or grove in a tract, as long as the calculation of average lot size, including tree protection tracts, meet the minimum lot size for the zone. The applicant may choose to make the adjustments over as many lots as required. For example, the lot reduction could be spread across all the remaining lots in the proposed subdivision or partition or could be applied to only those needed to incorporate the area of the tree tract.

Table 17.41.100 A
Lot Size Reduction

ZONE	*Min. Lot Size [sq. feet]*	*Min. Lot Width*	*Min. Lot Depth*
R-10	*5,000 sq. feet*	*50'*	*65'*
R-8	*4,000 sq. feet*	*45'*	*60'*
R-6	*3,500 sq. feet*	*35'*	*55'*
R-5	*3,000 sq. feet*	*30'*	*50'*
R-3.5	*1,800 sq. feet*	*20'*	*45'*

Table 17.41.100 B
Reduced Dimensional Standards for Detached Single-Family Residential Units

Size of Reduced Lot	*Front Yard Setback*	*Rear Yard Setback*	*Side yard Setback*	*Corner Side*	*Lot Coverage*
8,000—9,999 square feet	*15 feet*	*20 feet*	*7/9 feet*	*15 feet*	*40%*
6,000—7,999 square feet	*10 feet*	*15 feet*	*5/7 feet*	*15 feet*	*40%*
4,000—5,999 square feet	*10 feet*	*15 feet*	*5/5 feet*	*10 feet*	*40%*
1,800—3,999 square feet	*5 feet*	*15 feet*	*5/5 feet*	*10 feet*	*55%*

Table 17.41.100 C
Reduced Dimensional Standards for Single-Family Attached or Two-Family Residential Units

Size of Reduced Lot	*Front Yard Setback*	*Rear Yard Setback*	*Side yard Setback*	*Corner Side*	*Lot Coverage*
3,500—7,000 square feet	*10 feet*	*15 feet*	*5/0* feet*	*10 feet*	*40%*
1,800—3,499 square feet	*5 feet*	*15 feet*	*5/0* feet*	*10 feet*	*55%*

**0 foot setback is only allowed on single-family attached units*

Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

17.41.110 - Tree protection by restrictive covenant (Option 3).
Any regulated tree or grove which cannot be protected in a tract pursuant toSection 17.41.080 above shall be protected with a restrictive covenant in a format to be approved by the community development director. Such covenant shall be recorded against the property deed and shall contain provisions to permanently protect the regulated tree or grove unless such tree or grove, as determined by a certified arborist and approved by the community development director, are determined to be diseased or hazardous.

Applicant's Response N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

17.41.120 - Permitted adjustments (Option 3 Only).
A. The community development director, pursuant to a Type II procedure, may grant an adjustment to the side, front and rear yard setback standards by up to 50 percent if necessary to retain a Regulated Tree or Grove through a restrictive covenant pursuant to this section. In no case may the side yard setback be reduce less than three feet. The adjustment shall be the minimum necessary to accomplish preservation of trees on the lot and shall not conflict with other conditions imposed on the property.
B. The community development director, pursuant to a Type II procedure, may grant an adjustment to street standards, pursuant to adopted public works standards, in order to preserve a tree. This may include flexibility to redesign sidewalk and planter strip sizes and locations and allow placement of sidewalks and planter strips in an easement within private lots.
C. The community development director, pursuant to a Type II procedure, may allow other adjustments in order to preserve any healthy tree that cannot be moved due to its size, but will contribute to the landscape character of the area and will not present a foreseeable hazard if retained.

Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

17.41.1[25] - Cash-in-lieu of planting (tree bank/fund) (Option 4).
The applicant may choose this option in-lieu-of or in addition to Compliance Options 1 through 3. In this case, the community development director may approve the payment of cash-in-lieu into a dedicated fund for the remainder of trees that cannot be replanted in the manner described above.
A. The cash-in-lieu payment per tree shall be as listed on the adopted fee schedule and shall be adjusted annually based on the Consumer Price Index (Index). The price shall include the cost of materials, transportation and planting.
B. The amount of the cash-in-lieu payment into the tree bank shall be calculated as the difference between the value of the total number of trees an applicant is required to plant, including cost of installation and adjusted for Consumer Price Index, minus the value of the trees actually planted. The value of the trees shall be based on the adopted fee schedule.

Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

17.41.130 - Regulated tree protection procedures during construction.
A. No permit for any grading or construction of public or private improvements may be released prior to verification by the community development director that regulated trees designated for protection or conservation have been

protected according to the following standards. No trees designated for removal shall be removed without prior written approval from the community development director.
Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

B. Tree protection shall be as recommended by a qualified arborist or, as a minimum, to include the following protective measures:
1. Except as otherwise determined by the community development director, all required tree protection measures set forth in this section shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and such measures shall be removed only after completion of all construction activity, including necessary landscaping and irrigation installation, and any required plat, tract, conservation easement or restrictive covenant has been recorded.
2. Approved construction fencing, a minimum of four feet tall with steel posts placed no farther than ten feet apart, shall be installed at the edge of the tree protection zone or dripline, whichever is greater. An alternative may be used with the approval of the community development director.
3. Approved signs shall be attached to the fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the community development director.
4. No construction activity shall occur within the tree protection zone, including, but not limited to; dumping or storage of materials such as building supplies, soil, waste items; nor passage or parking of vehicles or equipment.
5. The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run-off.
6. No excavation, trenching, grading, root pruning or other activity shall occur within the tree protection zone unless directed by an arborist present on site and approved by the community development director.
7. No machinery repair or cleaning shall be performed within ten feet of the dripline of any trees identified for protection.
8. Digging a trench for placement of public or private utilities or other structure within the critical root zone of a tree to be protected is prohibited. Boring under or through the tree protection zone may be permitted if approved by the community development director and pursuant to the approved written recommendations and on-site guidance and supervision of a certified arborist.
9. The city may require that a certified arborist be present during any construction or grading activities that may affect the dripline of trees to be protected.
10. The community development director may impose conditions to avoid disturbance to tree roots from grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist.
Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

C. Changes in soil hydrology due to soil compaction and site drainage within tree protection areas shall be avoided. Drainage and grading plans shall include provision to ensure that drainage of the site does not conflict with the standards of this section. Excessive site run-off shall be directed to appropriate storm drainage facilities and away from trees designated for conservation or protection.
Applicant's Response: N/A, no trees are to be saved and or protected. Existing trees are in poor conditions based on arborist report.

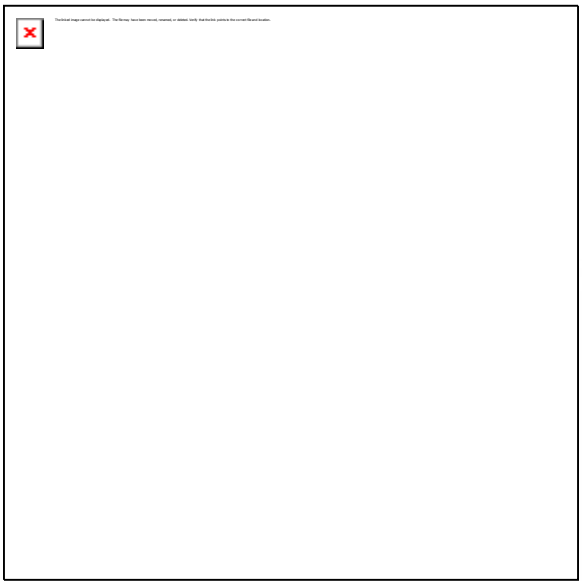
CHAPTER 17.50 - ADMINISTRATION AND PROCEDURES

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 The owner and engineer have filed, submitted and completed (December 2018) a pre-application meeting with the City to discuss the project.

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 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: The owner has

<u>17.54.100 - FENCES</u>
Fence, Setback and Height Limitations.
A fence may be located on the property or in a yard setback area subject to the following:



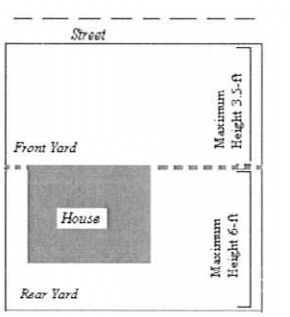


Diagram: Any fence, hedge or wall located in front of your home may be up to three and one-half-feet in total height.

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

A. Generally. Fence, hedge, or wall.

1. *Fences and walls—Fences and walls over forty-two inches shall not be located in front of the front façade or within forty feet of the public right-of-way, whichever is less. All other fences (including fences along the side and rear of a property) shall not exceed six feet in total height unless as permitted [in] Section 17.54.100.B.*
2. *Hedges shall not be more than forty-two inches in the underlying front yard setback. Individual plants and trees taller than forty-two inches tall may be permitted provided there is at least one foot clearance between each plant.*
3. *Property owners shall ensure compliance with the traffic sight obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.*
4. *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.*

Applicant's Response: There is no fence as part of the project

B. Exception. Fence, hedge, wall, or other obstructing vegetation on retaining wall. When a fence, hedge, wall, or other obstructing vegetation is built on a retaining wall or an artificial berm that is not adjacent to or abutting a public right-of-way, the following standards shall apply:

1. *When the retaining wall or artificial berm is thirty inches or less in height from the finished grade, the maximum fence or wall height on top of the retaining wall shall be six feet.*
2. *When the retaining wall or earth berm is greater than thirty inches in height, the combined height of the retaining wall and fence or, wall from finished grade shall not exceed eight and one-half feet.*

Applicant's Response: N/A, no retaining wall included.

Milner Veterinary Hospital

SQ Ft: 4,000

Parking spaces: 20

Planning commission adjustment of parking standards

Documentation: Currently, we do not have enough parking spaces to accommodate our clients and team members. Our short term plans include an expansion of our current facility into our existing parking lot, which will cause us to lose 8 parking spaces that currently exist, this would compound our problem.

In an effort to reduce the total number of parking spots we need, we have spoken to our staff in meetings and requested that if they are able they take public transportation it would be helpful in reducing the number of spaces needed. Unfortunately, many of our team members do not live in close proximity, so this is not a feasible option. Additionally, being a veterinary hospital, our clients are not able to take public transportation for their visits because they are transporting animals.

Current code allows us to have 10-13 spaces, as the parking study demonstrates this is insufficient for our business. We currently have 20 spaces and anticipate losing 8 when we expand the building. With the proposed new parking lot (19 spaces) we are asking for a net increase of 11 spaces, giving us a grand total of 31 spaces. This will help us accommodate our clients as our business continues to grow.

Parking analysis for surrounding uses and on-street parking availability: We currently encourage all of our team members to use street parking in order to allow more parking lot availability to our clients. There is a dental office across street from us that also encourages their team members to use street parking because they only have 5 parking spots to accommodate their patients. Because both businesses are using street parking for employees, we have congested Warner Street with parked cars.

Parking lot study: This study demonstrates we are consistently unable to accommodate our clients and employees with the current allotment of parking spaces.

Date	Time	Clients	Staff in lot	Staff on street	Total
1/16/19	1:50pm	8	6	8	24
1/25/19	2:30pm	9	7	7	23
2/1/19	3:00pm	9	10	3	22
2/15/19	2:00pm	9	9	5	23
2/19/19	1:30pm	9	9	3	21
2/22/19	2:45pm	13	6	7	26
3/8/19	11:00am	15	6	5	26
4/2/19	4:00pm	10	9	6	24

Date	Time	Clients	Staff in lot	Staff on street	Total
4/5/19	9:30am	8	8	5	21
4/5/19	11:30am	7	8	5	20
4/5/19	1:45pm	11	7	5	23
4/5/19	3:30pm	13	8	5	26
4/5/19	5pm	10	8	5	23

Date	Time	Clients	Staff in lot	Staff on street	Total
4/6/19	9:30am	10	8	2	20
4/6/19	11:30am	12	8	2	22
4/6/19	1:30pm	11	8	2	21
4/6/19	3:30pm	13	8	2	23

Date	Time	Clients	Staff in lot	Staff on street	Total
4/8/19	9am	5	8	5	18
4/8/19	11am	10	9	5	24
4/8/19	1:30p	10	8	6	24
4/8/19	3:30p	18	8	6	32
4/8/19	5pm	11	8	6	25

Date	Time	Clients	Staff in lot	Staff on street	Total
4/9/19	10am	8	9	9	24
4/9/19	11:30am	9	9	9	27
4/9/19	1:00pm	8	7	7	22
4/9/19	3:00pm	11	6	9	26
4/9/19	4:30pm	13	6	9	27

Date	Time	Clients	Staff in lot	Staff on street	Total
4/19/19	9:30am	4	9	3	16
4/19/19	11:30am	9	9	3	21
4/19/19	1:30pm	11	8	4	23
4/19/19	3:00pm	10	8	4	22
4/19/19	5:00pm	9	8	4	21

Function and use of site: The development of our parking lot will not significantly impact the use or function of our site or any adjacent sites. It will reduce congestion on Warner Street which may be problematic when turning on to Warner from Molalla.

Compatibility: This proposal will be an overall enhancement to the neighborhood, by decreasing street congestions and developing a previously vacant lot. This proposal is also compatible with our short term business goals of expanding our Veterinary hospital in order to accommodate the growing client base that we support.

Safety: The proposal may increase motor vehicle safety by decreasing the amount of vehicles parked on the street.

Services: The proposal will have no impact on fire or emergency services.

Neighborhood meeting notes and documentation: Steve Milner presented our proposal to the Barclay Hills Neighborhood Association on Tuesday March 12. Steve discussed the possibility of using public transportation for client and employees as well as landscaping issues. Additionally, he was able to elaborate on a few of the specific aspects of this project as it relates to rainwater. We have attached the meeting sign in sheet for review.

On-street parking availability analysis of veterinary clinic frontage street parking including parking utilized by vehicles not associated with Milner Veterinary Clinic

Parking Milner Veterinary Hospital

Date	Time	Clinic Parking Lot	ADA Space	Street	Proposed Lot		
16-Oct	11:05	18	0	10	4		32
23-Oct	1:15	21	0	5	2		28
23-Oct	2:15	21	0	7	1		29
26-Oct	1:45	22	1	5	2	Dentist office closed	30
28-Oct	10:12	20	0	5	10		35
28-Oct	10:12	22	1	6	10		39
28-Oct	11:35	20	1	5	12		38
28-Oct	12:15	22	1	6	10		39
28-Oct	2:30	18	0	4	7		29
28-Oct	3:05	20	0	4	6		30
28-Oct	4:20	19	1	5	6		31
29-Oct	8:35	15	0	6	6		27
29-Oct	4:30	19	0	8	5		32
30-Oct	8:45	18	0	7	3		28
Average		19.64	0.36	5.93	6.00		
Legal Spaces		19	1	10	0		
Average Total		31.93					
Percentage		106%					

October 23, 2019

Oregon City Planning Commission

For the past 15 years I have lived at 1033 A, Bullard St around the corner from Milner Veterinary Hospital. This neighborhood is quite and slow paced. My favorite pastime is walking my dog. I cannot guess how many miles we put on the streets of my neighborhood each year. For the past year and a half I don't walk near the veterinary hospital. There are cars everywhere and it is not safe.

Please allow the vet hospital build a parking lot to fix this.

Sincerely,

Gary Dooyen

October 21, 2019

Lisa Guarnero

1124 Hughes St

Oregon City Oregon

To Whom it may concern:

I have lived in the neighborhood around Milner Veterinary Hospital for the past 20 years. In the past few years parking at the vet clinic has spilled out onto the street. This can make turning onto Warner street difficult and, since there are not sidewalks in the area, make walking your dog dangerous. I would appreciate it if you allowed them to resolve this problem by building a parking lot.

Sincerely,

Lisa Guarnero

Oregon City Planning Commission

My family lives at 302 Warner St. across the street from Milner Veterinary Hospital. My children ride the school bus and are dropped off each day in front of the clinic. For the past two years Milner Vet has been using the street as parking for its employees and clients. This causes severe congestion in the street making it unsafe for my children. There are not sidewalks in the area.

I understand Dr Milner is asking for permission to build a parking lot and a side walk to fix this problem. I am ask that you give permission for him to do so.

Sincerely,

Rachel Williams

RACHEL WILLIAMS
(503) 539-1922

Trails End Dental
Douglas Retzlaff, DMD
Prevent • Restore • Maintain

1104 Molalla Avenue
Oregon City OR 97045
Phone (503) 656-7131 | Fax (503) 656-6382
trailsenddental.com | info@trailsenddental.com

Oregon Community Development – Planning
698 Warner Parrott Rd
Oregon City, OR 97045

October 22, 2019

Re: GLUA-19-00017, SP-19-00053, PARK-19-00002

To Whom It May Concern,
I am the owner of Trails End Dental in Oregon City located across Warner Street from the Milner Veterinary Hospital. My property adjoins a lot that is currently vacant. This lot has been an eye sore and worse for many years. It has been the subject of several criminal complaints and many code violations. Our patients have been forced to use on-street parking as I am only allowed five spaces for my building size. Over the past two years the veterinary hospital has been forced to use on-street parking as well.

Two months ago one of our patients was hit by a car while crossing Warner Street due to the many cars parked on the street and the confusion that creates.

We are running out of room for our patients and employees to park.

Dr. Milner has applied for a permit to build a parking lot on the site of the former drug house. This would benefit both of our businesses as well as the neighborhood. It is my hope that you will grant a permit for this project.

Respectfully,

Doug Retzlaff, DMD, PC

NAME	ADDRESS	DATE
Deborra Crawford	581 Holmes Ln. Apt 23 Oregon City, OR 97045	10/30/19
Chris Delany	19055 Leland Rd Oregon City OR 97045	
Anthony Moore	18816 S Ridge Rd Oregon City 97045	10/30/19
Christine Reddle	18094 S. Bo James Ct Oregon City 97045	10-30-19
Lori Mickels	12041 Hazel Park Dr. Oregon City 97045	10-30
Steve Mickels	12041 Hazel Park Dr. O.C. OR 97045	10/30/19
Matthew & Shirlene Warnock	19131 Lot Whitcomb 97045	10/30/19
Sara Dover	14460 SE Thalma, Milwaukie, OR 97267	10/30/19
Rachelle Arnold	104 Telford Rd OC OR 97045	10/30/19
Brian Arnold	104 Telford Rd O.C OR 97045	10-30-19

Steve Milner, DVM
Angela Turra, DVM
Alex Berthrong, DVM
Megan Glasere, DVM

Milner VETERINARY HOSPITAL
1034 Molalla Ave
Oregon City, OR 97045
503.657.6553
503.722.8628 fax
www.milnervet.com

Hannah Mauck, DVM
Christa Finley, DVM
Kirk Moore, DVM

We are residents of Oregon City and clients of the Milner Veterinary Hospital. We are asking that the Oregon City Planning Commission allow the Milner Veterinary Hospital build a parking lot next to their facility.

Name	Address	Date
Terra Sharpes	18627 S Elna Rd O.C OR 97045	10-23-19
Carly Sandblast	14760 S. clackamas rv drive, OC, OR, 97045	10/23/19
Rachel Gabby	14061 Jacobs Way Oregon City, OR 97045	10/23/19
Houston Gabby	14061 Jacobs Way Oregon City, OR 97045	10/23/19
Haley Inman	12210 Mimosa Way OC, OR 97045	10/23/19
Bethany Bartel	18598 S. Lyons Rd 97045	10-23-19
Lynn Gonzales	19500 Silverfox Pkwy 97045	10-30-19
Michael Cauchole	14569 Walnut Grove Way Oregon City Or 97045	10-30-19
Cindy Anderson	11758 Hazelnut Ave, Oregon City, OR	541-231-3185
Corey Oelklaus	16919 S. Beckman Rd Oregon City OR	10/30/19
Traci Rohde	16919 S. Beckman Rd	10/30/19

Date of Report: 10-07-19
For: 08-14-19 - 08-14-19

Milner Veterinary Hospital
PERIOD TOTALS

(Consolidated)

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	27	[redacted]	5%
Check Payments	[redacted]	3	[redacted]	7%
Mastercard Payments	[redacted]	8	[redacted]	17%
Visa Card Payments	[redacted]	71	[redacted]	59%
American Express Payments	[redacted]	4	[redacted]	12%
User-defined Payments	[redacted]	1	[redacted]	1%
Total Payments	[redacted]	114	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	20	[redacted]	14%
Alex Berthrong, DVM	[redacted]	23	[redacted]	45%
Kirk Moore, DVM	[redacted]	13	[redacted]	15%
Christa Finley, DVM	[redacted]	12	[redacted]	19%
OTC	[redacted]	16	[redacted]	3%
Dog Wash	[redacted]	35	[redacted]	4%
Total Invoices	[redacted]	105	[redacted]	100%
Wellness Plans Only Invoices		8		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	2	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		4		
Patient visits		125		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	21	[redacted]	12%
Check Payments	[redacted]	2	[redacted]	2%
Mastercard Payments	[redacted]	11	[redacted]	26%
Visa Card Payments	[redacted]	86	[redacted]	50%
Discover Card Payments	[redacted]	3	[redacted]	2%
American Express Payments	[redacted]	2	[redacted]	1%
User-defined Payments	[redacted]	4	[redacted]	7%
Total Payments	[redacted]	129	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	33	[redacted]	31%
Alex Berthrong, DVM	[redacted]	16	[redacted]	37%
Angela Turra, DVM	[redacted]	1	[redacted]	0%
Hannah Mauck, DVM	[redacted]	1	[redacted]	0%
Kirk Moore, DVM	[redacted]	13	[redacted]	12%
Christa Finley, DVM	[redacted]	2	[redacted]	0%
Megan Glasere, DVM	[redacted]	11	[redacted]	11%
OTC	[redacted]	10	[redacted]	3%
Dog Wash	[redacted]	37	[redacted]	4%
Kaylea Herbaugh	[redacted]	2	[redacted]	0%
Wellness Plan	[redacted]	1	[redacted]	0%
Total Invoices	[redacted] *	123	[redacted]	100%
Wellness Plans Only Invoices		3		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	2	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		8		
Patient visits		134		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	22	[redacted]	2%
Check Payments	[redacted]	0	[redacted]	
Mastercard Payments	[redacted]	10	[redacted]	10%
Visa Card Payments	[redacted]	103	[redacted]	86%
Discover Card Payments	[redacted]	1	[redacted]	1%
American Express Payments	[redacted]	2	[redacted]	0%
User-defined Payments	[redacted]	1	[redacted]	1%
Total Payments	[redacted]	139	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	24	[redacted]	27%
Alex Berthrong, DVM	[redacted]	15	[redacted]	26%
Angela Turra, DVM	[redacted]	4	[redacted]	2%
Kirk Moore, DVM	[redacted]	16	[redacted]	16%
Christa Finley, DVM	[redacted]	14	[redacted]	14%
Megan Glasere, DVM	[redacted]	2	[redacted]	1%
OTC	[redacted]	19	[redacted]	6%
Dog Wash	[redacted]	44	[redacted]	5%
Erin Berggren	[redacted]	2	[redacted]	1%
Wellness Plan	[redacted]	3	[redacted]	1%
Total Invoices	[redacted]	127	[redacted]	100%
Wellness Plans Only Invoices		0		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	1	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		6		
Patient visits		141		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	25	[redacted]	6%
Check Payments	[redacted]	3	[redacted]	11%
Mastercard Payments	[redacted]	7	[redacted]	7%
Visa Card Payments	[redacted]	81	[redacted]	55%
Discover Card Payments	[redacted]	4	[redacted]	5%
American Express Payments	[redacted]	4	[redacted]	1%
User-defined Payments	[redacted]	4	[redacted]	15%
Total Payments	[redacted]	128	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	25	[redacted]	20%
Alex Berthrong, DVM	[redacted]	12	[redacted]	33%
Angela Turra, DVM	[redacted]	4	[redacted]	3%
Hannah Mauck, DVM	[redacted]	1	[redacted]	1%
Kirk Moore, DVM	[redacted]	22	[redacted]	17%
Christa Finley, DVM	[redacted]	4	[redacted]	3%
Megan Glasere, DVM	[redacted]	15	[redacted]	17%
OTC	[redacted]	19	[redacted]	4%
Dog Wash	[redacted]	37	[redacted]	3%
Wellness Plan	[redacted]	1	[redacted]	0%
	[redacted]	1	[redacted]	0%
Total Invoices	[redacted]	124	[redacted]	100%
Wellness Plans Only Invoices		2		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	3	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		6		
Patient visits		149		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	16	[redacted]	2%
Check Payments	[redacted]	1	[redacted]	1%
Mastercard Payments	[redacted]	18	[redacted]	16%
Visa Card Payments	[redacted]	145	[redacted]	71%
Discover Card Payments	[redacted]	4	[redacted]	2%
American Express Payments	[redacted]	8	[redacted]	7%
User-defined Payments	[redacted]	3	[redacted]	1%
Total Payments	[redacted]	195	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	36	[redacted]	25%
Alex Berthrong, DVM	[redacted]	15	[redacted]	35%
Angela Turra, DVM	[redacted]	7	[redacted]	2%
Hannah Mauck, DVM	[redacted]	1	[redacted]	0%
Kirk Moore, DVM	[redacted]	16	[redacted]	11%
Christa Finley, DVM	[redacted]	13	[redacted]	12%
Megan Glasere, DVM	[redacted]	3	[redacted]	1%
OTC	[redacted]	25	[redacted]	5%
Dog Wash	[redacted]	40	[redacted]	4%
Technician	[redacted]	1	[redacted]	0%
Chris Goslin	[redacted]	1	[redacted]	0%
Wellness Plan	[redacted]	17	[redacted]	4%
Other Veterinary Hospital	[redacted]	1	[redacted]	0%
Total Invoices	[redacted]	189	[redacted]	100%
Wellness Plans Only Invoices		7		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	71	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		3		
Patient visits		179		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	20	[redacted]	8%
Check Payments	[redacted]	1	[redacted]	3%
Mastercard Payments	[redacted]	12	[redacted]	10%
Visa Card Payments	[redacted]	77	[redacted]	70%
American Express Payments	[redacted]	1	[redacted]	0%
User-defined Payments	[redacted]	2	[redacted]	10%
Total Payments	[redacted]	113	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	33	[redacted]	51%
Alex Berthrong, DVM	[redacted]	14	[redacted]	15%
Angela Turra, DVM	[redacted]	1	[redacted]	0%
Christa Finley, DVM	[redacted]	3	[redacted]	0%
Megan Glasere, DVM	[redacted]	15	[redacted]	23%
OTC	[redacted]	15	[redacted]	3%
Dog Wash	[redacted]	43	[redacted]	5%
Wellness Plan	[redacted]	2	[redacted]	1%
	[redacted]	1	[redacted]	0%
Total Invoices	[redacted]	120	[redacted]	100%
Wellness Plans Only Invoices		2		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	3	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		6		
Patient visits		136		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	19	[redacted]	3%
Check Payments	[redacted]	2	[redacted]	1%
Mastercard Payments	[redacted]	42	[redacted]	15%
Visa Card Payments	[redacted]	312	[redacted]	78%
Discover Card Payments	[redacted]	4	[redacted]	1%
American Express Payments	[redacted]	8	[redacted]	2%
User-defined Payments	[redacted]	2	[redacted]	0%
Total Payments	[redacted]	389	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	22	[redacted]	17%
Alex Berthrong, DVM	[redacted]	15	[redacted]	29%
Angela Turra, DVM	[redacted]	1	[redacted]	0%
Kirk Moore, DVM	[redacted]	11	[redacted]	14%
Christa Finley, DVM	[redacted]	17	[redacted]	21%
Megan Glasere, DVM	[redacted]	3	[redacted]	2%
OTC	[redacted]	20	[redacted]	4%
Dog Wash	[redacted]	33	[redacted]	5%
Other Veterinary Hospital	[redacted]	12	[redacted]	3%
VDIC	[redacted]	1	[redacted]	4%
	[redacted]	5	[redacted]	1%
Total Invoices	[redacted]	362	[redacted]	100%
Wellness Plans Only Invoices		4		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	282	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		5		
Patient visits		150		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	29	[redacted]	5%
Check Payments	[redacted]	1	[redacted]	1%
Mastercard Payments	[redacted]	7	[redacted]	5%
Visa Card Payments	[redacted]	74	[redacted]	79%
Discover Card Payments	[redacted]	3	[redacted]	2%
American Express Payments	[redacted]	5	[redacted]	7%
User-defined Payments	[redacted]	2	[redacted]	1%
Total Payments	[redacted]	121	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	3	[redacted]	1%
Alex Berthrong, DVM	[redacted]	21	[redacted]	43%
Kirk Moore, DVM	[redacted]	18	[redacted]	21%
Megan Glasere, DVM	[redacted]	16	[redacted]	22%
OTC	[redacted]	17	[redacted]	6%
Dog Wash	[redacted]	44	[redacted]	6%
Technician	[redacted]	1	[redacted]	0%
Erin Berggren	[redacted]	1	[redacted]	0%
Wellness Plan	[redacted]	1	[redacted]	0%
Camarea Freeman	[redacted]	1	[redacted]	0%
Tessa Maxfield	[redacted]	1	[redacted]	0%
Total Invoices	[redacted]	117	[redacted]	100%
Wellness Plans Only Invoices		5		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	4	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		2		
Patient visits		128		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	6	[redacted]	6%
Check Payments	[redacted]	5	[redacted]	8%
Mastercard Payments	[redacted]	9	[redacted]	7%
Visa Card Payments	[redacted]	60	[redacted]	69%
American Express Payments	[redacted]	2	[redacted]	2%
User-defined Payments	[redacted]	1	[redacted]	9%
Total Payments	[redacted]	83	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	6	[redacted]	5%
Alex Berthrong, DVM	[redacted]	9	[redacted]	22%
Angela Turra, DVM	[redacted]	18	[redacted]	26%
Kirk Moore, DVM	[redacted]	12	[redacted]	17%
Christa Finley, DVM	[redacted]	2	[redacted]	1%
Megan Glasere, DVM	[redacted]	15	[redacted]	14%
OTC	[redacted]	15	[redacted]	6%
Dog Wash	[redacted]	10	[redacted]	2%
Wellness Plan	[redacted]	3	[redacted]	4%
VDIC	[redacted]	1	[redacted]	4%
Total Invoices	[redacted]	76	[redacted]	100%
Wellness Plans Only Invoices		3		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	5	[redacted]	
Total Charges	[redacted]*			
Net change in A/R	[redacted]			
New Clients		5		
Patient visits		94		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	6	[redacted]	5%
Check Payments	[redacted]	1	[redacted]	2%
Mastercard Payments	[redacted]	7	[redacted]	14%
Visa Card Payments	[redacted]	61	[redacted]	71%
Discover Card Payments	[redacted]	1	[redacted]	1%
American Express Payments	[redacted]	2	[redacted]	5%
User-defined Payments	[redacted]	3	[redacted]	2%
Total Payments	[redacted]	81	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	2	[redacted]	0%
Alex Berthrong, DVM	[redacted]	3	[redacted]	2%
Angela Turra, DVM	[redacted]	28	[redacted]	34%
Hannah Mauck, DVM	[redacted]	1	[redacted]	1%
Kirk Moore, DVM	[redacted]	12	[redacted]	21%
Christa Finley, DVM	[redacted]	10	[redacted]	27%
Megan Glasere, DVM	[redacted]	2	[redacted]	4%
OTC	[redacted]	16	[redacted]	6%
Dog Wash	[redacted]	10	[redacted]	2%
Wellness Plan	[redacted]	3	[redacted]	1%
Total Invoices	[redacted]	76	[redacted]	100%
Wellness Plans Only Invoices		10		
Late Charges	[redacted]	1	[redacted]	
Adjustments	[redacted]	4	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		2		
Patient visits		104		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	6	[redacted]	6%
Check Payments	[redacted]	5	[redacted]	8%
Mastercard Payments	[redacted]	9	[redacted]	7%
Visa Card Payments	[redacted]	60	[redacted]	69%
American Express Payments	[redacted]	2	[redacted]	2%
User-defined Payments	[redacted]	1	[redacted]	9%
Total Payments	[redacted]	83	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	6	[redacted]	5%
Alex Berthrong, DVM	[redacted]	9	[redacted]	22%
Angela Turra, DVM	[redacted]	18	[redacted]	26%
Kirk Moore, DVM	[redacted]	12	[redacted]	17%
Christa Finley, DVM	[redacted]	2	[redacted]	1%
Megan Glasere, DVM	[redacted]	15	[redacted]	14%
OTC	[redacted]	15	[redacted]	6%
Dog Wash	[redacted]	10	[redacted]	2%
Wellness Plan	[redacted]	3	[redacted]	4%
VDIC	[redacted]	1	[redacted]	4%
Total Invoices	[redacted]	76	[redacted]	100%
Wellness Plans Only Invoices		3		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	5	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		5		
Patient visits		94		

ROOTS AND SHOOTS, LLC.

Justin Keane
Certified Arborist #1551
Licensed ♦ Bonded ♦ Insured

P.O. Box 1108 Mulino, OR 97042 ♦ (503) 803-1947 ♦ Fax (503) 759-3022

Dr. Steve Milner
Milner Vet Hospital
1034 Molalla Ave
Oregon City, OR 97045

March 26, 2019

Steve,

Thank you for your interest in my services as a Certified Arborist. As you recall, you requested an inspection of two fruit trees on a recently acquired property located across the street from your business at 1034 Molalla Ave in Oregon City. The purpose of this inspection was to assess the health, viability and overall condition of these two trees. On March 13, 2019, I performed a "boots on the ground" visual inspection of the trees and my observations are as follows:

Description:
One tree is a fruiting pear with 12-14 inch DBH (Diameter at Breast Height). The other is a fruiting apple that is also 12-14 inch DBH.

Observations:
The two trees are in virtually identical condition. Both trees appear to have had no care for many years. Structurally, these trees are in relatively poor condition. Lack of pruning and maintenance has led to numerous large tear outs and partially broken limbs. As a result of the lack of maintenance, the broken limbs have led to substantial decay in the trunks of both trees. Substantial and abnormal amounts of dead branches throughout the canopies were also present.

Additionally, both trees are located directly over frequently used public parking spaces. This presents the possibility of a hazardous situation in the form of future limb failures and nuisances related to fruit drop. I also observed substantial woodpecker damage throughout both canopies. This inspection was performed prior to "bud break" and therefor includes no assessment of any problems associated with foliage. Please see photos attached.

Recommendations:
It is my recommendation that both trees be removed and replaced with more appropriate trees planted elsewhere on the property

Justin Keane, Certified Arborist #1551

ROOTS AND SHOOTS, LLC.

Justin Keane
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North Tree: Apple **South Tree: Pear**

Pear Tree: Visible deadwood and deferred maintenance

Pear Tree: Damaged Trunk

ROOTS AND SHOOTS, LLC.

Justin Keane
Certified Arborist #1551
Licensed ♦ Bonded ♦ Insured

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Apple Tree : Multiple break-outs and deadwood

Apple Tree: Large upper canopy break-out

Apple Tree: Decay in main stem

Apple Tree: Trunk defect from girdling

Stormwater Drainage Report

Milner Veterinary Hospital Parking Lot Expansion

Prepared for: Steve Milner
Project Engineer: Daan Dommels, PE, PMP

April 2019 | KPFF Project #1800304

kpff

KPFF'S COMMITMENT TO SUSTAINABILITY

As a member of the US Green Building Council, KPFF is committed to the practice of sustainable design and the use of sustainable materials in our work.

When hardcopy reports are provided by KPFF, they are prepared using recycled and recyclable materials, reflecting KPFF's commitment to using sustainable practices and methods in all of our products.

Designer's Certification and Statement

"I hereby certify that this Stormwater Management Report for the Milner Veterinary Hospital Parking Lot Expansion project has been prepared by me or under my supervision and meets minimum standards of Oregon City and normal standards of engineering practice. I hereby acknowledge and agree that the jurisdiction does not and will not assume liability for the sufficiency, suitability, or performance of drainage facilities designed by me."

Daan Dommels, PE

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4. Landscape Plan
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Appendix C
Conveyance Calculations and Downstream Analysis
Appendix D
WES BMP Sizing Report
Appendix E
Operations and Maintenance Plan

Project Overview and Description

The project is located on an empty lot off of Warner Street in Oregon City, across the Milner Veterinary Clinic which is located in the southeast, one quarter of Section 5, Township 3 South, Range East, Willamette Meridian, in Clackamas County, Oregon City, Oregon. See Exhibit 1 – Vicinity Map. This storm report will cover the entire property. The total project site is approximately 0.22 acres and is a fully undeveloped lot that is overgrown with grass and two trees.

The project will be developed in accordance with City of Oregon City standards. The project will require the following permits in approval through Oregon City: Building Permit, Fill/Grading Permit, and Erosion & Sediment Control Permit.

The following reports were referenced to support our interpretation of the project site conditions.

- *Geotechnical Engineering Services*, prepared by GeoDesign, dated August 29, 2018.

Existing Conditions

The total project site is approximately 0.22 acres and the entire site is pervious with two trees along the north side of the property and overgrown grass covering the remaining part of the property. The north side of the property fronts Warner Street, the west side of the property neighbors another vacant property with similar surface conditions. The south side neighbors two private residential properties and the east side neighboring property house a dental facility.

There is a drain field easement along the east side of the property that serves the neighboring dental facility. However, survey information and conversations with that property owner indicated that the dental facility has not been using this easement as the property has been serviced with a public sanitary sewer connection a long time ago.

The site generally slopes from south to north and run-off sheet flows to Warner Street with no storm drainage system being present within. Site elevations ranges from 469 feet on the south side to 467 feet on the north. It doesn't appear that there is any off-site drainage going through the project site.

Site Soils

A geotechnical report was prepared by GeoDesign and states that the subsurface condition consists mainly of dense to hard basalt fines within the 88%-93% range. The report recommends that infiltration should not be relied upon.

Proposed Onsite Improvements and Stormwater Management

The proposed onsite improvements include a new surface parking lot with perimeter and interior landscaping.

A new driveway entrance will be aligned with the veterinary clinic parking lot entry across the street. New frontage improvements are required by the city, consisting of a 4-foot dedication, curb and gutter and a 5-foot curb tight sidewalk along Warner Street.

The two trees lining the north property line will be removed to allow for the improvements.

The site will be graded to maintain the existing drainage pattern with the exception to the discharge point. A curb tight catch basin will intercept the runoff flow and provide pre-treatment prior to discharging to a rain garden located along the north side of the site. The rain garden is not designed to rely on infiltration, but will keep an open bottom concept to allow for any natural infiltration into the native subgrade.

The rain garden is sized and designed based on the Clackamas County Water Environmental Services BMP Sizing Tool. See Exhibit 3 for Storm Drainage Plan.

TABLE 1: Summary of Impervious and Pervious Areas

DESCRIPTION	IMPERVIOUS SURFACE AREA		PERVIOUS SURFACE AREA		TOTAL SITE AREA	
	(SF)	(AC)	(SF)	(AC)	(SF)	(AC)
Pre-Development	0	0.00	9,326	0.21	9,326	0.21
Post-Development	6,805	0.15	2,521	0.06	9,326	0.21
Net Difference	**-6,805**	**0.15**	**+6,805**	**+0.15**	**0**	**0.00**

Downstream Analysis

The project does increase the net impervious surface. Based on the Oregon City GIS system, a contributing basin was determined comparing the existing storm system with area contours. The storm system the project site will be feeding into goes down Molalla Avenue, through Harris Lane and Mountain View Cemetery prior to discharging into a drainage fork of Newell Creek, see Appendix C. The last pipe prior to discharge is a 12-inch pipe, since no invert elevation is available, it is assumed that the pipe at a minimum follows the contours of the surface contours which are approximately 6.5%.

The contributing basin is approximately 10.1 acres. TR-55 was used to calculate the 10-year peak runoff flow, with an average CN of 92 and 10 minute time of concentration. This resulted in a peak flow of 6.64 CFS. The 12-inch pipe at 6.5% provides a potential flow capacity of 9.87 CFS. The system flows at approximately 67% at the point of discharge and indicates that there is no flow capacity issue.

Conveyance

Stormwater conveyance pipes are sized using the Rational Method. A 10-year design storm was used per the Oregon City Stormwater Manual, since the contributing basin is less than 40 acres. Conveyance calculations and are provided in Appendix C.

Emergency Overflow

In the event of a 100-year storm, the pipes provide a large part of the flow, however, additional flow will overtop the rain garden and use the natural flow path into Warner Street.

Erosion Prevention and Sediment Control

Erosion and sedimentation control measures are to be employed in accordance with the City of Oregon City. Primarily inlet protection, sediment control fence, and a construction entrance will be implemented to prevent any sediment and sediment-laden water from leaving the site.

Operations and Maintenance

The operations and maintenance of the site will be in accordance with Oregon City standards. A maintenance covenant will be completed as part of this project to ensure compliance with City regulations, which is included in the Operations and Maintenance Plan, see Appendix E

Landscape Plan

Landscape Plan and details are shown in Exhibit 4.

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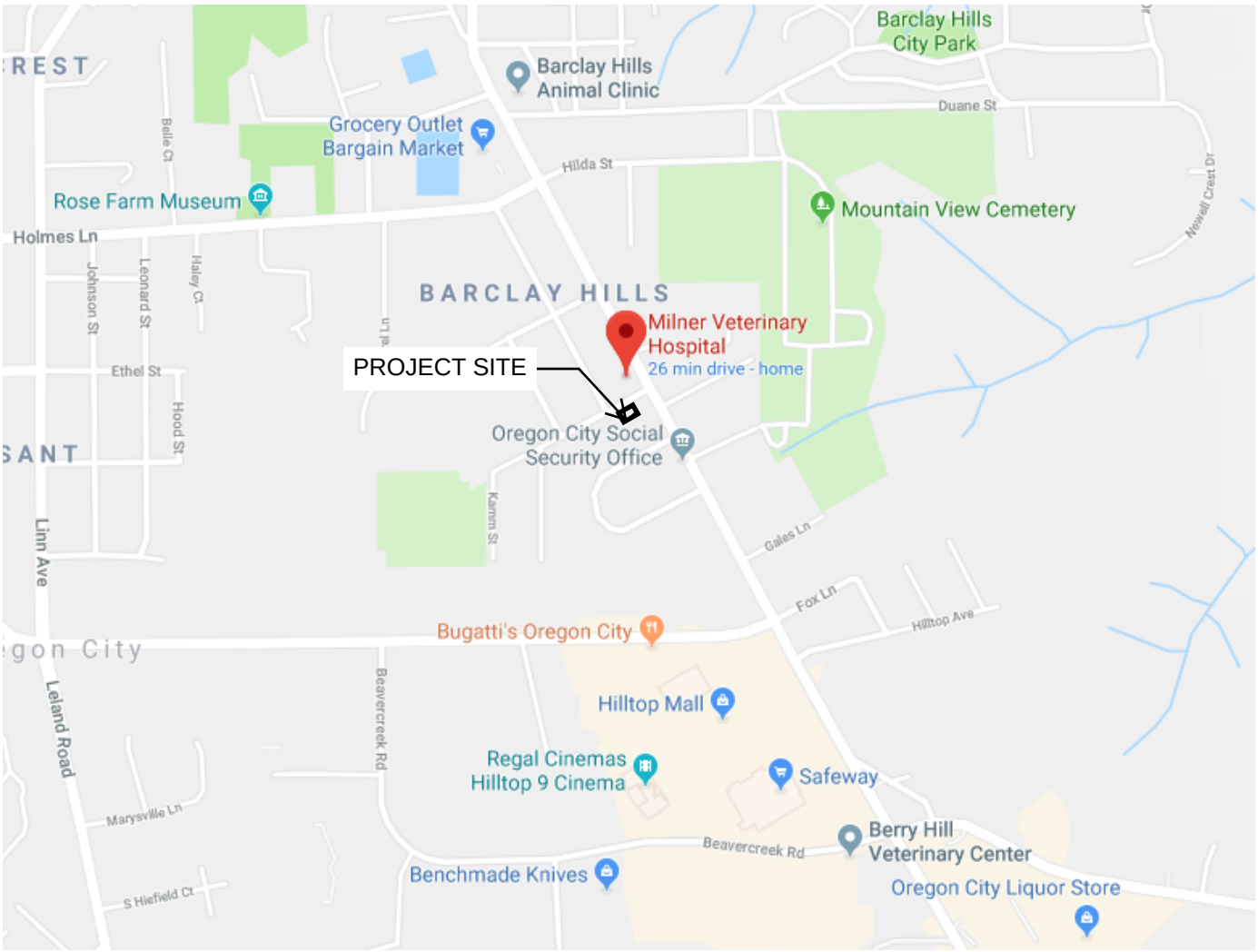
Appendix A

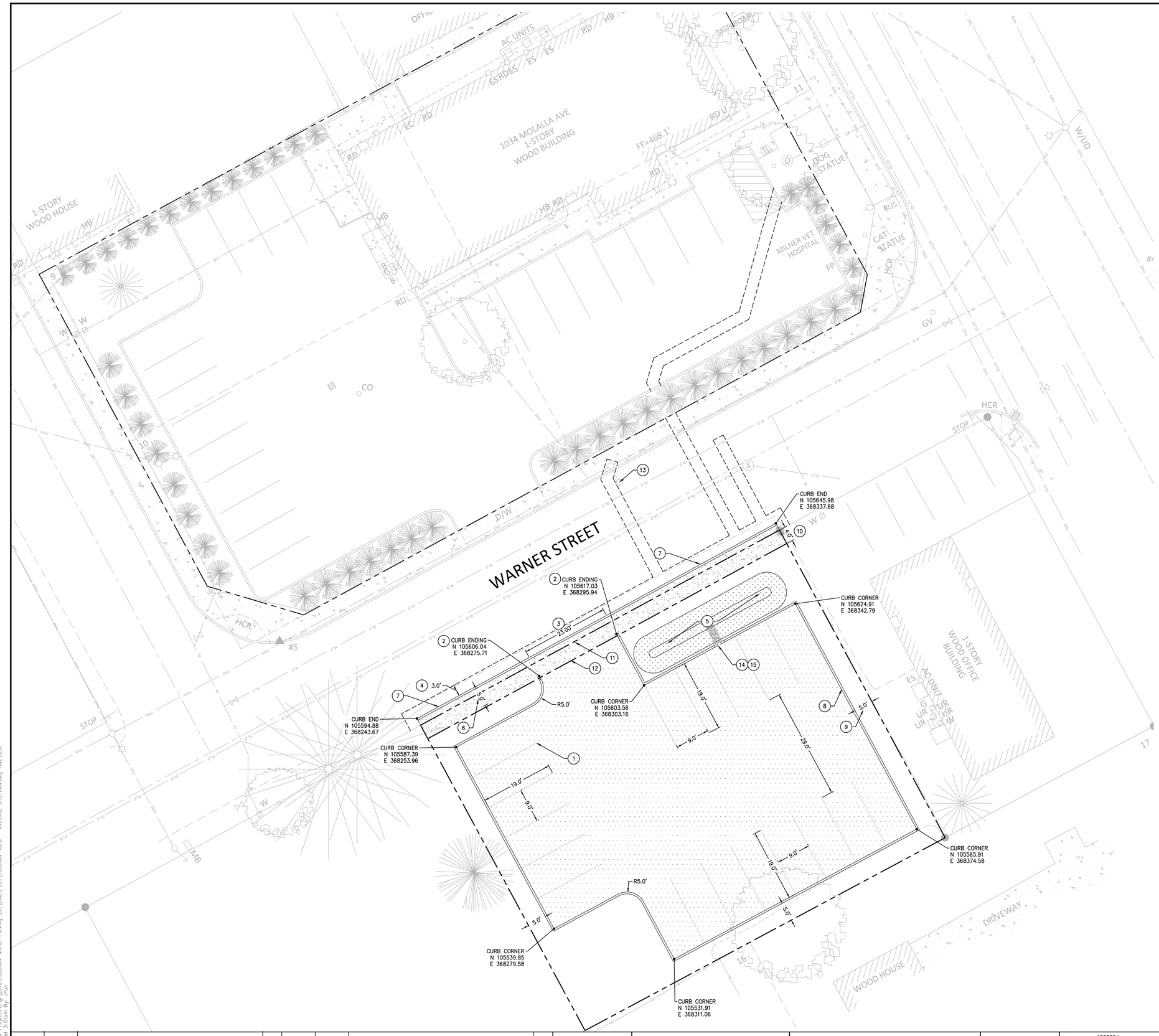
Exhibits

1. Vicinity Map
2. Proposed Site Plan
3. Storm Drainage Plan
4. Landscape Plan

Exhibit 1 - Vicinity Map



SCALE: NTS



SHEET NOTES

1. ALL DIMENSIONS AND COORDINATES ARE TO FACE OF CURB OR FACE OF WALL.

(X) KEY NOTES

1. STANDARD 4" WHITE STRIPING
2. CURB ENDING — (2/C5.0)
3. 23' COMMERCIAL CURB TIGHT DRIVEWAY — (7/C5.0)
4. SAWCUT 3 FEET FROM EDGE OF GUTTER, RESTORE PAVEMENT IN ACCORDANCE WITH THE CITY OF OREGON CITY PUBLIC WORKS PAVEMENT CUT STANDARDS.
5. STORMWATER MANAGEMENT FACILITY
6. 5' WIDE SIDEWALK — (5/C5.0)
7. STANDARD CURB — (6/C5.0)
8. STANDARD CURB — (3/C5.0)
9. 5' LANDSCAPED SETBACK FROM PROPERTY LINE
10. 4' RIGHT-OF-WAY DEDICATION
11. OLD PROPERTY LINE
12. NEW PROPERTY LINE
13. EXISTING STREET LIGHT BY PGE
14. CURB SPILLWAY — (4/C5.0)
15. 6" CURB INLET AND RIP-RAP PROTECTION — (2/C5.1)

LEGEND

- PROPERTY LINE
- SAW CUT
- ASPHALT PAVEMENT — (1/C5.0)
- CONCRETE SIDEWALK PAVEMENT — (4/C5.0)

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

SCALE 1 INCH = 10 FEET (10 0 10 20)

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JOB No.:	1800304
DESIGNED BY:	XXX
DRAWN BY:	XXX
CHECKED BY:	XXX
DATE:	XX/XX/XX
PLOTTED BY:	JYun
DWG NAME:	
TAB NAME:	C2.0

1034 Molalla Avenue Oregon City, OR 97045

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

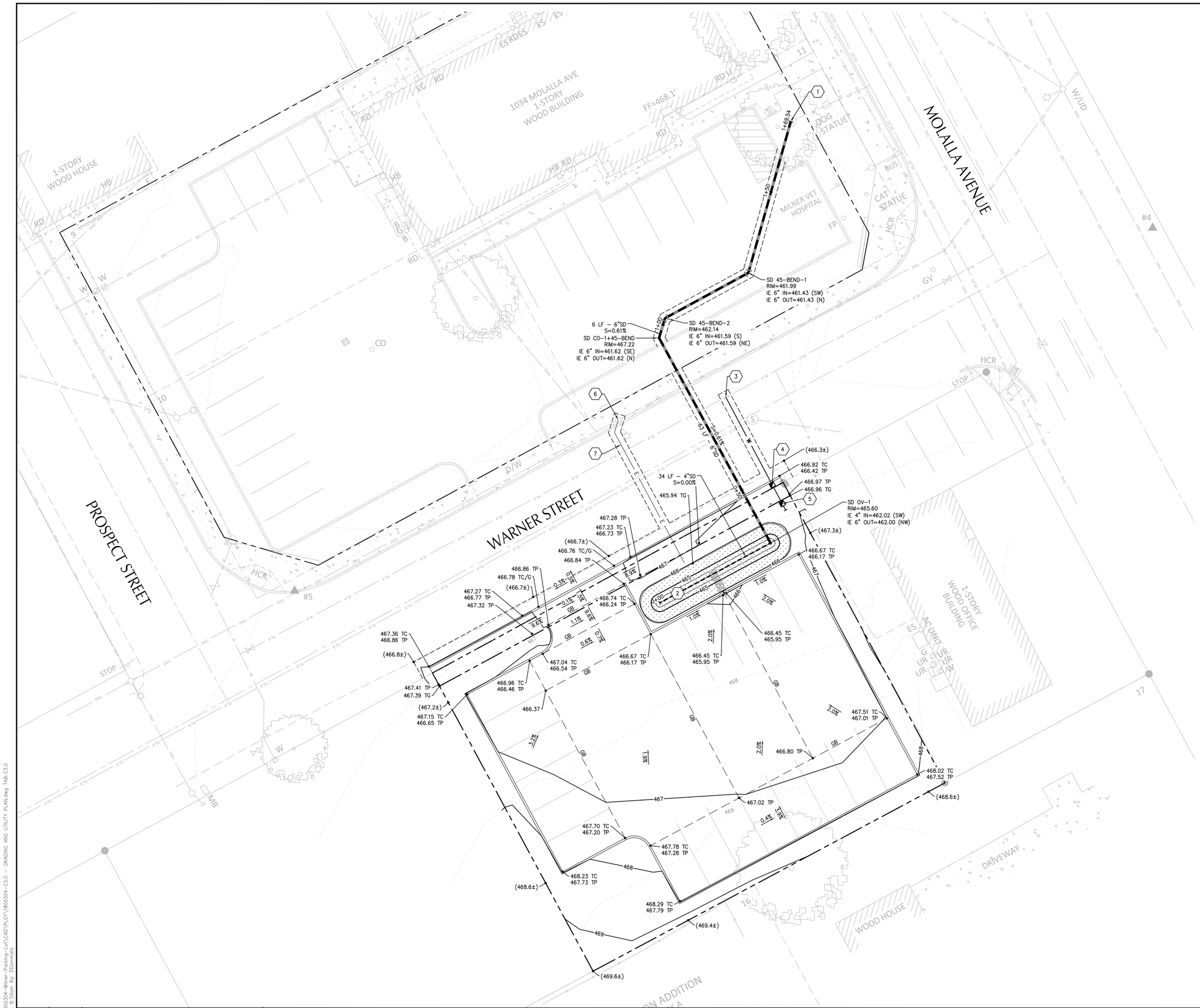
OVERALL SITE PLAN

SHEET NO. C2.0

SHEET 4 OF 13

RECORD NO. 1700123-XX

File: \\civilpdx1\Civil-Projects\Up\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C2.0 - OVERALL SITEPLAN.dwg TAB:C2.0
30x42 Plot Date: 2/26/19 at 3:01pm By: JYun



SHEET NOTES

1. SLOPES PROVIDED ON SLOPE ARROW ARE FOR REFERENCE ONLY.
2. ON-SITE PIPE BEDDING AND BACKFILL FOR ALL UTILITIES SHALL BE DONE PER DETAIL 1/C5.0.
3. STRUCTURES LOCATIONS ARE BASED ON CENTER OF STRUCTURE.

(X) UTILITY KEY NOTES

1. CONNECT TO EXISTING STORM MANHOLE
2. RAIN GARDEN — (3/C5.1)
3. CONNECT 1" WATER LINE TO PUBLIC WATER LINE. CONTRACTOR TO COORDINATE CONNECTION WITH OREGON CITY PUBLIC WORKS DEPARTMENT. — (6/C5.1)
4. WATER METER TO BE INSTALLED BY OREGON CITY PUBLIC WORKS DEPARTMENT FOR WATER LINE CONTINUATION. SEE SHEET L1.2.
5. IRRIGATION BACKFLOW PREVENTER. SEE SHEET L1.2 FOR DETAILS AND CONTINUATIUON.
6. EXISTING PGE INSTALLED STREET LIGHT.
7. CONTRACTOR TO PROVIDE ELECTRICAL SERVICE TO THE PROJECT SITE FROM EXISTING POLE. COORDINATE CONNECTION LOCATION AND METERING WITH PGE AND OWNER.

LEGEND

	PROPERTY LINE
479	EX. CONTOUR MIINOR
480	EX. CONTOUR MAJOR
479	PROP. CONTOUR MINOR
480	PROP. CONTOUR MAJOR
GB	GRADE BREAK

GRADING LABEL LEGEND

CALLOUT	DESCRIPTION
X.X%	GRADING SLOPE AND DIRECTION (DOWNHILL)
XX.XX	SPOT ELEVATION
XX	DESCRIPTION LISTED BELOW. NO DESCRIPTION MEANS TP OR TG

BS	BOTTOM OF STEP
BP	BOTTOM OF PLANTER (TOP OF SOIL MEDIA)
EG	EXISTING GRADE
FF	FINISHED FLOOR
FG	FINISHED GRADE
RIM	RIM OF STRUCTURE
TC	TOP OF CURB
TG	TOP OF GROUND
TP	TOP OF PAVEMENT
TS	TOP OF STEP
TW	TOP OF WALL
TD	TOP OF RAISED DECK WALKWAY

UTILITY LABEL LEGEND

STRUCTURE LABEL

XX XX-XX
N XXXX.XX
E XXXX.XX
RIM=
IE IN = XX.X
IE OUT = XX.X

- UTILITY TYPE (SD=STORM DRAINAGE, S=SANITARY SEWER, W=WATER, FP=FIRE PROTECTION)
- STRUCTURE TYPE CALLOUT
- ID NUMBER (WHERE APPLICABLE)
- LOCATION (WHERE APPLICABLE)
- STRUCTURE INFO (WHERE APPLICABLE)

PIPE LABEL

XXLF - XX" XX
S=X.XX%

- UTILITY LENGTH
- UTILITY SIZE
- UTILITY TYPE
- SLOPE (WHERE APPLICABLE)

STRUCTURE TYPE

CALLOUT	DESCRIPTION	DETAIL REF.
CO	CLEANOUT TO GRADE	4/C5.1
OV	OVERFLOW INLET	3/C5.1

SD STRUCTURE TABLE

STRUCTURE ID	NORTHING	EASTING
45-BEND-1	105700.42	368329.32
45-BEND-2	105688.26	368306.96
CO-1+45-BEND	105682.95	368305.39
EX. MANHOLE	105741.02	368340.68
OV-1	105627.99	368335.26

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

SCALE 1 INCH = 10 FEET (10 0 10 20)

kpff
111 SW Fifth Ave., Suite 2400
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com

JOB No.:	1800304
DESIGNED BY:	XXX
DRAWN BY:	XXX
CHECKED BY:	XXX
DATE:	XX/XX/XX
PLOTTED BY:	DDommels
DWG NAME:	
TAB NAME:	C3.0

1034 Molalla Avenue Oregon City, OR 97045

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

GRADING AND UTILITY PLAN

SHEET NO. C3.0

SHEET 5 OF 13

RECORD NO. 1700123-XX

File: N:\cp\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C3.0 - GRADING AND UTILITY PLAN.dwg TAB:C3.0
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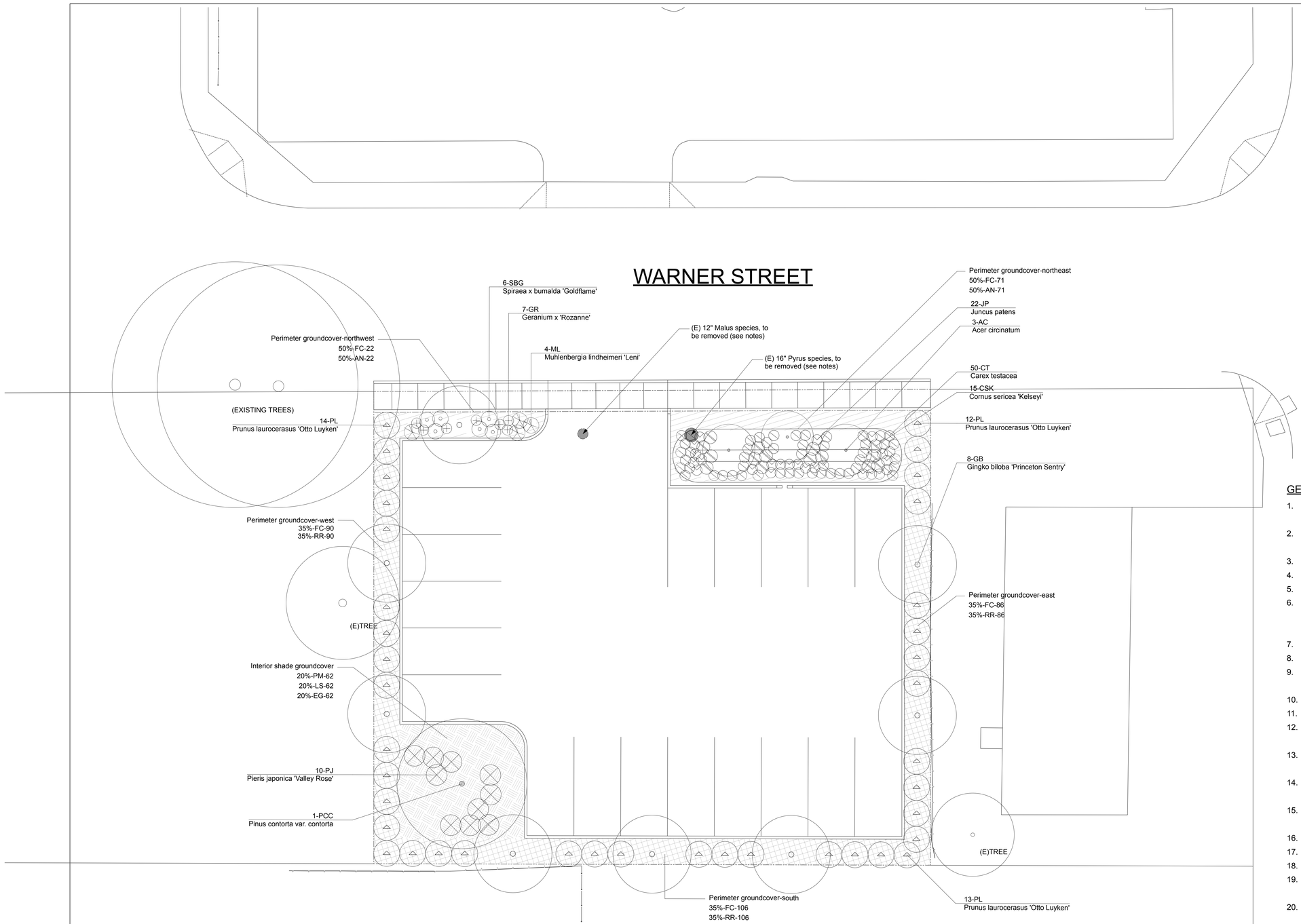

PLANT SCHEDULE

ID	Qty	Latin Name	Common Name	Scheduled Size	Remarks
AC	3	Acer circinatum	Vine Maple	2" caliper, min.	
AN	94	Arctostaphylos nummularia 'Select Form'	Glossy leaved Manzanita	4" pot	16" o.c.
CSK	15	Cornus sericea 'Kelseyi'	Kelsey's Dwarf Red-Osier Dog	3 gallon, min.	
CT	50	Carex testacea	Orange New Zealand Sedge	1 gallon	
EG	62	Epimedium grandiflorum 'Pierre's Purple'	Bishop's Hat	1 gallon	16" o.c.
FC	375	Fragaria x. chiloensis	Beach strawberry	4" pot or flat	16" o.c.
GB	8	Gingko biloba 'Princeton Sentry'	'Princeton Sentry' Gingko	2" caliper, min.	
GR	7	Geranium x 'Rozanne'	Rozanne Cranesbill	1 gallon	2' o.c.
JP	22	Juncus patens	Rush	1 gal	
LS	62	Luzula sylvatica 'Marginata'	Greater Wood Rush	1 gallon	16" o.c.
ML	4	Muhlenbergia lindheimeri 'Leni'	'Autumn Glow' Muhly	1 gallon	3' o.c.
PCC	1	Pinus contorta var. contorta	Shore Pine	4" caliper, min.	
PJ	10	Pieris japonica 'Valley Rose'	Valley Rose Lily Of The Valley	3 gallon, min.	4' o.c.
PL	39	Prunus laurocerasus 'Otto Luyken'	Otto Luyken English Laurel	3 gallon, min.	4' o.c.
PM	62	Polystichum munitum	Western Sword Fern	1 gallon	16" o.c.
RR	282	Rubus rolfei 'Emerald Carpet'	Creeping raspberry	4" pot or flat	16" o.c.
SBG	6	Spiraea x bumalda 'Goldflame'	Goldflame Spirea	2 gallon, min.	3' o.c.

N

SCALE: 1/8"=1'-0"

GENERAL NOTES

1. REFER TO SOIL PREPARATION SPECIFICATIONS FOR INFORMATION REGARDING SITE AND SOIL PREPARATION (INCLUDING TOPSOIL, AMENDMENTS, AND MULCH APPPLICATION)
2. A PLANT SCHEDULE IS PROVIDED. IF PLANTS SPECIFIED CANNOT BE FOUND, CONTACT LANDSCAPE ARCHITECT (LA) OR OWNER'S REPRESENTATIVE FOR APPROVAL OF SUBSTITUTION
3. CONTRACTOR TO CONTACT LA AT LEAST (3) DAYS PRIOR TO PLANT DELIVERY
4. LANDSCAPE CONTRACTOR TO VERIFY PLANT MATERIAL QUANTITIES
5. LA OR OWNER'S REPRSENTATIVE TO APPROVE PLANTS ONCE DELIVERED
6. PLANT LAYOUT IS APPROXIMATE AND MAY NEED TO BE ADJUSTED IN FIELD AS REQUIRED. LC TO LAYOUT PLANTS AS INDICATED ON PLANTING PLAN FOR LANDSCAPE ARCHITECT'S OR OWNER REPRESENTATIVE'S APPROVAL PRIOR TO PLANTING.
7. B&B STOCK MAY BE SUBSTITUTED WITH CONTAINER STOCK OF EQUAL GRADE
8. CONTAINER STOCK MAY BE SUBSTITUTED WITH B&B STOCK OF EQUAL GRADE
9. PLANT MATERIAL SHALL CONFORM WITH AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1,LATEST EDITION
10. ALL TREES SHALL BE BRANCHED
11. MULCH ALL PLANTING BEDS WITH 3" MIN. LAYER OF SPECIFIED MULCH
12. IN THE EVENT OF A DISCREPANCY BETWEEN THIS MATERIAL LISTING AND THE DRAWINGS, THE DRAWINGS SHALL GOVERN THE PLANT SPECIEDS AND QUANTITIES REQUIRED
13. IN THE EVENT OF A LACK OF CLARITY ON DRAWINGS, LANDSCAPE CONTRACTOR IS TO CALL LA BEFORE PROCEEDING
14. LANDSCAPE CONTRACTOR WILL PROVIDE A ONE-YEAR WARRANTY ON ALL PROVIDED AND INSTALLED PLANTER MATERIAL FROM DATE OF INSTALLATION
15. ALL DECIDUOUS TREES 2" CALIPER MINIMUM. SINGLE EVERGREEN TREE TO BE 4" CALIPER MINIMUM
16. ALL GROUNDCOVER TO BE SPACED MAXIMUM 16" O.C.
17. ALL SHRUBS TO BE SPACED MAXIMUM 4' O.C.
18. ALL TREES TO BE NO MORE THAN 35' APART
19. ALL PLANTING BEDS TO HAVE A MINIMUM OF 18" TOPSOIL. RE-USE OF EXISTING TOPSOIL IS RECOMMENDED BUT MUST MEET SPECIFICATIONS
20. LANDSCAPE CONTRACTOR SHALL PROVIDE A ONE-YEAR WARRANTY ON ALL PROVIDED AND INSTALLED PLANT MATERIAL FROM DATE OF FINAL APPROVAL BY OWNER'S REPRESENTATIVE.
21. TWO EXISTING TREES ON SITE TO BE REMOVED DUE TO POOR CONDITION. SEE ACCOMPANYING ARBORIST REPORT.
22. CONTRACTOR TO TAKE APPROPRIATE PRECAUTIONS AS NECESSARY TO PROTECT TREES OFF SITE WHICH MAY BE AFFECTED BY CONSTRUCTION. THIS MAY INCLUDE BUT IS NOT LIMITED TO MEASURES TO PROTECT ENTIRE AREA WITHIN DRIPLINE, INCLUDING APPROVED CONSTRUCTION FENCING AND SIGNS.
23. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING A COPY OF PROJECT SPECIFICATIONS PRIOR TO BIDDING. THE PROJECT SPECIFICATIONS FOR SOIL PREPARATION AND TREES, PLANTS AND GROUNDCOVERS ARE A PART OF THESE PLANS AND SHALL BE CONSULTED BY THE LANDSCAPE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING WORK AS SPECIFIED IN THE PROJECT SPECIFICATIONS AND PLANS.

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

30x42

REGISTERED 650 ROSE BRADY KEANE OREGON 12 / 14 / 07 LANDSCAPE ARCHITECT

rbkla
Rose Brady Keane Landscape Architecture
1921 NW Kearney Street Portland, OR 97209
(503) 936-6865 rose@rbkla.com

kpff
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Portland, OR 97204
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JOB No.:	190
DESIGNED BY:	RK
DRAWN BY:	RK
CHECKED BY:	RK
DATE:	03/19/19
PLOTTED BY:	RK
DWG NAME:	1902MILNER_190314
TAB NAME:	

Client Address

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

PLANTING PLAN
AND NOTES

SHEET NO.
L1.0
SHEET 1 OF 3
RECORD NO.
1700123-

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Appendix B

Geotechnical Report

GEODESIGN INC

August 29, 2018

Milner Veterinary Hospital
1034 Molalla Avenue
Oregon City, OR 97045

Attention: Steve Milner

Report of Geotechnical Engineering Services
Milner Veterinary Hospital Parking Lot
1034 Molalla Avenue
Oregon City, Oregon
GeoDesign Project: MilnerVet-1-01

INTRODUCTION

GeoDesign, Inc. is pleased to submit this report of geotechnical engineering services for the proposed Milner Veterinary Hospital parking lot expansion in Oregon City, Oregon. The site location relative to surrounding physical features is shown on Figure 1. Our services for this project were conducted in accordance with our proposal dated July 25, 2018.

PROJECT UNDERSTANDING

The proposed expanded parking lot is located on a vacant lot south of Milner Veterinary Hospital. KPFF Consulting Engineers provided us with a site plan showing the location of the approximately 8,100-square-foot asphalt concrete (AC)-paved parking lot.

SCOPE OF SERVICES

The purpose of our services was to explore the near-surface conditions at the site and provide geotechnical engineering recommendations for use in design and construction of the proposed site improvements. Specifically, we completed the following scope of services:

- Coordinated and managed the field explorations, including public and private utility locates and scheduling subcontractors and GeoDesign field staff.
- Explored subsurface conditions by drilling three borings to depths between 6.5 and 16.5 feet below ground surface (BGS).
- Collected soil samples for laboratory testing at select depths from the explorations.

- Classified the materials encountered in the explorations. Maintained a detailed log of each exploration. Observed groundwater conditions in the explorations.
- Performed the following laboratory tests on select samples collected from the explorations:
  - Five moisture content determinations in general accordance with ASTM D2216
  - Two particle-size analyses in general accordance with ASTM D1140
- Provided recommendations for site preparation, grading and drainage, stripping depths, fill type for imported material, compaction criteria, cut and fill slope criteria, procedures for use of on-site soil, and wet weather earthwork procedures.
- Provided recommendations for construction of AC pavement for the parking lot, including subbase, base course, and AC paving thickness.
- Provided a geotechnical engineering report summarizing our explorations, laboratory testing, and conclusions and recommendations for use in design and construction.

SURFACE CONDITIONS

The proposed expanded parking lot is located approximately 100 feet west of the intersection of Molalla Avenue and Warner Street in Oregon City, Oregon. The ground surface of the approximately 12,700-square-foot lot is predominately covered with grass and several trees border the northern perimeter. The topography of the site is generally level at an elevation of 468 feet.

SUBSURFACE CONDITIONS

We explored subsurface conditions at the site by drilling three borings (B-1 through B-3) to depths between 6.5 and 16.5 feet BGS. Figure 2 shows the approximate exploration locations. A description of the exploration and laboratory testing programs, the exploration logs, and the results of laboratory testing are presented in the Attachment.

A 2-inch-thick root zone was encountered at the location of each exploration. The soil conditions below the root zone generally consist of fine-grained decomposed basalt to the depths explored. The decomposed basalt ranges from medium stiff to hard; however, the consistency within the top 2.5 feet of the ground surface is very stiff to hard. Laboratory testing on select samples indicate fines contents between 88 and 93 percent.

Groundwater was not encountered during drilling to the depths explored. Perched groundwater may be encountered during the wet season or after extended periods of precipitation. The depth to groundwater may fluctuate in response to seasonal changes, prolonged rainfall, changes in surface topography, and other factors not observed in this study.

CONCLUSIONS AND RECOMMENDATIONS

Based on our explorations completed at the site, our experience in the site vicinity, and our geotechnical analysis, it is our opinion that the project is feasible. Our recommendations for use in design and construction are presented below.

PAVEMENT

Our pavement recommendations are based on a minimum resilient modulus of 6,000 pounds per square inch and a design life of 20 years. We do not have specific information on the frequency and type of vehicles that will use the area; however, we have assumed that post-construction traffic conditions will consist of no more than four heavy trucks per week.

We recommend a pavement section consisting of a minimum of 3.0 inches of AC pavement underlain by a minimum of 8.0 inches of aggregate base. For areas subjected to passenger car traffic only, we recommend a pavement section consisting of a minimum of 2.5 inches of AC pavement underlain by a minimum of 6.0 inches of aggregate base. All thicknesses are intended to be the minimum acceptable. The AC and aggregate base should meet the requirements outlined in the "Structural Fill" section. The design of the recommended pavement section is based on the assumption that construction will be completed during an extended period of dry weather and the subgrade will be protected from construction traffic. Wet weather construction will likely require an increased thickness of aggregate base.

All recommended pavement sections constructed on subgrade prepared as recommended are capable of supporting a 75,000-pound fire truck with a point load of 12,500 pounds on an infrequent basis.

STORMWATER INFILTRATION

Based on the soil conditions encountered in our explorations, we do not recommend relying on infiltration for design of the stormwater system at the site.

SITE PREPARATION

The near-surface root zone should be stripped and removed from the site within the proposed building area. We anticipate the depth of stripping will be approximately 2 to 3 inches, although greater stripping depths will be required surrounding the larger trees and to remove localized zones of loose or organic soil. The actual stripping depth should be based on field observations at the time of construction. Stripped material should be transported off site for disposal or used in landscaped areas. Trees and their root balls should be grubbed to the depth of the roots, which could exceed 3 feet BGS. Depending on the methods used to remove this material, considerable disturbance and loosening of the subgrade could occur. We recommend that disturbed soil be removed to expose stiff native soil. The resulting excavations should be backfilled with structural fill.

If construction occurs during or extends into the wet season, or if the moisture content of the surficial soil is more than a couple percentage points above optimum, site stripping and cutting may need to be accomplished using track-mounted equipment. Likewise, the use of granular haul roads and staging areas will be necessary for support of construction traffic during the rainy season or when the moisture content of the surficial soil is more than a few percentage points above optimum. The amount of staging and haul road areas, as well as the required thickness of granular material, will vary with the contractor's sequencing of the project and thee type and frequency of construction equipment. Based on our experience, between 12 and 18 inches of

imported granular material is generally sufficient in staging areas and between 18 and 24 inches in haul roads areas. The actual thickness will depend on the contractor's means and methods and, accordingly, should be the contractor's responsibility.

EXCAVATION

Conventional earthmoving equipment in proper working condition should be capable of making necessary excavations for foundations and utilities. We recommend that excavation be performed by a track-mounted excavator using a smooth-blade bucket.

Trench cuts should stand near vertical to a depth of at least 4 feet. Open excavation techniques may be used to excavate trenches with depths between 4 and 8 feet, provided the walls of the excavation are cut at a slope of 1½H:1V, groundwater seepage is not present, and with the understanding that some sloughing may occur. The trenches should be flattened if excessive sloughing occurs.

Excavations should not undermine adjacent utilities, foundations, walkways, streets, or other hardscapes unless special shoring or underpinned support is provided. Unsupported excavations should not be conducted within a downward and outward projection of a 1H:1V line from 5 feet outside the edge of an adjacent structural feature.

We anticipate that a sump located within the trench excavation likely will be sufficient to remove accumulated water, depending on the amount and persistence of water seepage and the length of time the trench is left open.

All excavations should be made in accordance with applicable OSHA requirements and regulations of the state, county, and local jurisdiction. While this report describes certain approaches to excavation and dewatering, the contract documents should specify that the contractor is responsible for selecting excavation and dewatering methods, monitoring the excavations for safety, and providing shoring (as required) to protect personnel and adjacent structural elements.

STRUCTURAL FILL

General

Structural fill includes fill beneath foundations, slabs, and any other areas intended to support structures or within the influence zone of structures. A variety of material may be used as structural fill at the site. Fill should only be placed over subgrade that has been prepared in conformance with the "Site Preparation" section. Structural fill should be free of organic matter and other deleterious material and, in general, should consist of particles no larger than 4 inches in diameter. A brief characterization of some of the acceptable materials and our recommendations for their use as structural fill are provided below.

On-Site Soil

In general, the material at the site should be suitable for use as general structural fill, provided it is properly moisture conditioned and free of debris, organic materials, and particles over 6 inches in diameter. Based on our experience, we estimate the optimum moisture content for compaction to be approximately 15 to 18 percent for the on-site clay or clayey soil; therefore,

significant moisture conditioning (drying) will likely be required to use on-site clayey soil for structural fill. Accordingly, extended dry weather will be required to adequately condition the soil for use as structural fill. When used as structural fill, the soil should be placed in lifts with a maximum uncompacted thickness of 6 to 8 inches and compacted to not less than 92 percent of the maximum dry density, as determined by ASTM D1557.

Imported Granular Material

Imported granular material used for structural fill should be pit- or quarry-run rock, crushed rock, or crushed gravel and sand. Imported granular material should be fairly well graded between coarse and fine material, should have less than 5 percent by dry weight passing the U.S. Standard No. 200 sieve, and should have at least two mechanically fractured faces. Material with a higher fines content is permissible provided compaction can be achieved. When used as structural fill, imported granular material should be placed in lifts with a maximum uncompacted thickness of 12 inches and compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

Stabilization Material

Stabilization material used in staging or haul road areas or in trenches should consist of 4- or 6-inch-minus pit- or quarry-run rock, crushed rock, or crushed gravel and sand; should have at least two mechanically fractured faces; and should have less than 5 percent by dry weight passing the U.S. Standard No. 4 sieve. The material should be free of organic matter and other deleterious material. Stabilization material should be placed in one lift and compacted to a firm condition.

AC

The AC should be Level 2, ½-inch, dense asphalt concrete pavement (ACP) as described in Oregon Standards Specifications for Construction (2018) 00744 (Asphalt Concrete Pavement) and compacted to 91 percent of the specific gravity of the mix, as determined by ASTM D2041. The minimum and maximum lift thickness is 2.0 and 3.0 inches, respectively, for ½-inch ACP. Asphalt binder should be performance graded and conform to PG 64-22 or better.

Aggregate Base

Imported granular material used as aggregate base for pavements should consist of ¾- or 1½-inch-minus material. The aggregate should have less than 5 percent by dry weight passing the U.S. Standard No. 200 sieve and at least two fractured faces. The aggregate base should be compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

EROSION CONTROL

The site soil is moderately susceptible to erosion; therefore, erosion control measures should be carefully planned and in place before construction begins. Surface water runoff should be collected and directed away from slopes to prevent water from running down the slope face. Erosion control measures (such as straw bales, sediment fences, and temporary detention and settling basins) should be used in accordance with local and state ordinances.

OBSERVATION OF CONSTRUCTION

Satisfactory foundation and earthwork performance depends to a large degree on quality of construction. Sufficient observation of the contractor's activities is a key part of determining that the work is completed in accordance with the construction drawings and specifications. Subsurface conditions observed during construction should be compared with those encountered during the subsurface exploration. Recognition of changed conditions often requires experience; therefore, qualified personnel should visit the site with sufficient frequency to detect if subsurface conditions change significantly from those anticipated.

We recommend that GeoDesign be retained to observe earthwork activities, including stripping, proof rolling of the subgrade and repair of soft areas, footing subgrade preparation, performing laboratory compaction and field moisture-density tests, observing final proof rolling of the pavement subgrade and base rock, and AC placement and compaction.

LIMITATIONS

We have prepared this report for use by Milner Veterinary Hospital and members of the design and construction teams for the proposed project. The data and report can be used for bidding or estimating purposes, but our report, conclusions, and interpretations should not be construed as warranty of the subsurface conditions and are not applicable to other nearby building sites.

If design changes are made, we request that we be retained to review our conclusions and recommendations and to provide a written modification or verification.

The scope does not include services related to construction safety precautions, and our recommendations are not intended to direct the contractor's methods, techniques, sequences, or procedures, except as specifically described in our report for consideration in design.

Within the limitations of scope, schedule, and budget, our services have been executed in accordance with generally accepted practices in this area at the time the report was prepared. No warranty, express or implied, should be understood.

♦ ♦ ♦

We appreciate the opportunity to be of service to you. Please contact us if you have questions regarding this report.

Sincerely,

GeoDesign, Inc.

Reed Kistler, P.E.
Project Engineer

Brett A. Shipton, P.E., G.E.
Principal Engineer

cc: Daan Dommels, KPFF Consulting Engineers (via email only)

RSK:SVM:kt
Attachments
One copy submitted (via email only)
Document ID: MilnerVet-1-01-082918-geolr.docx
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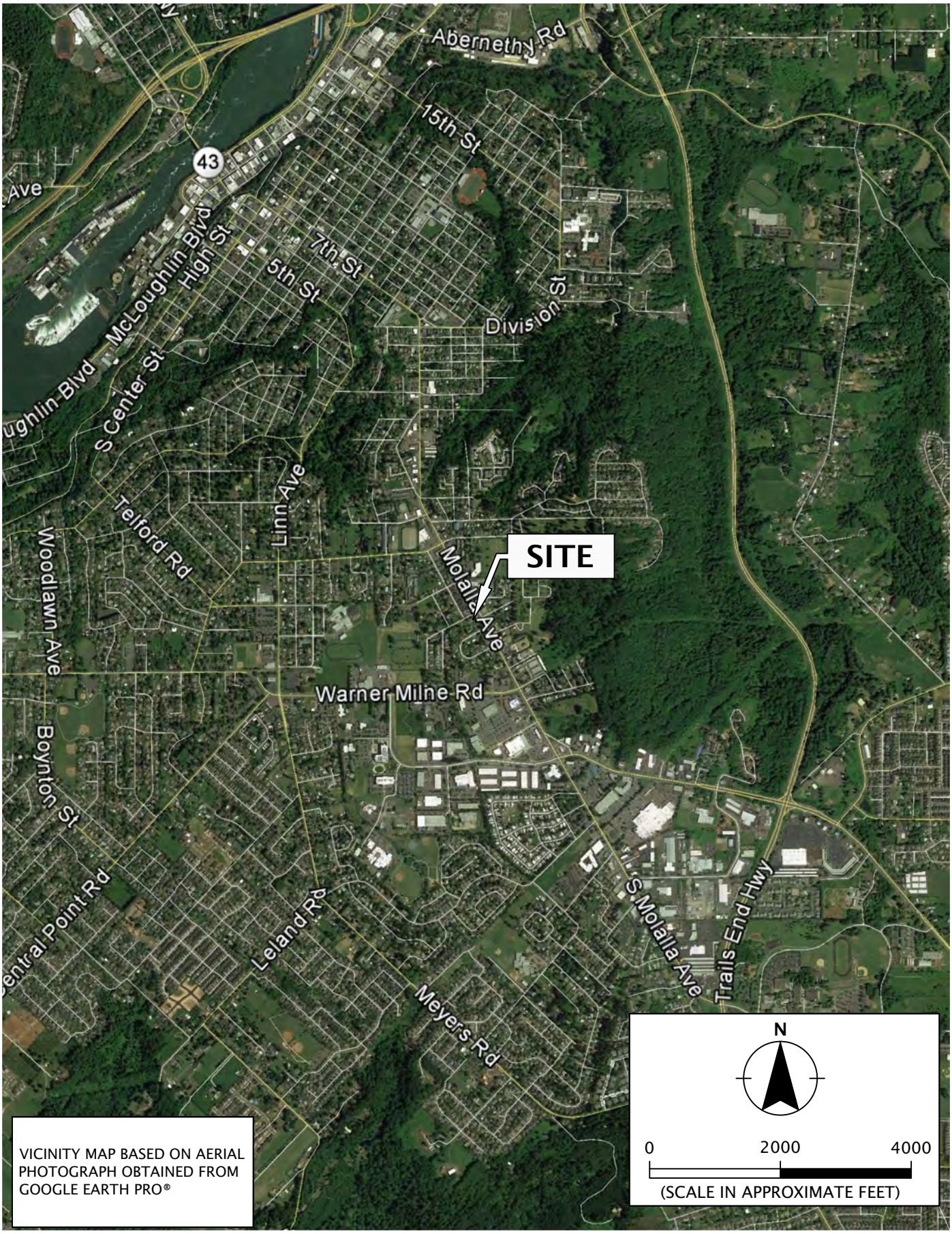
FIGURES

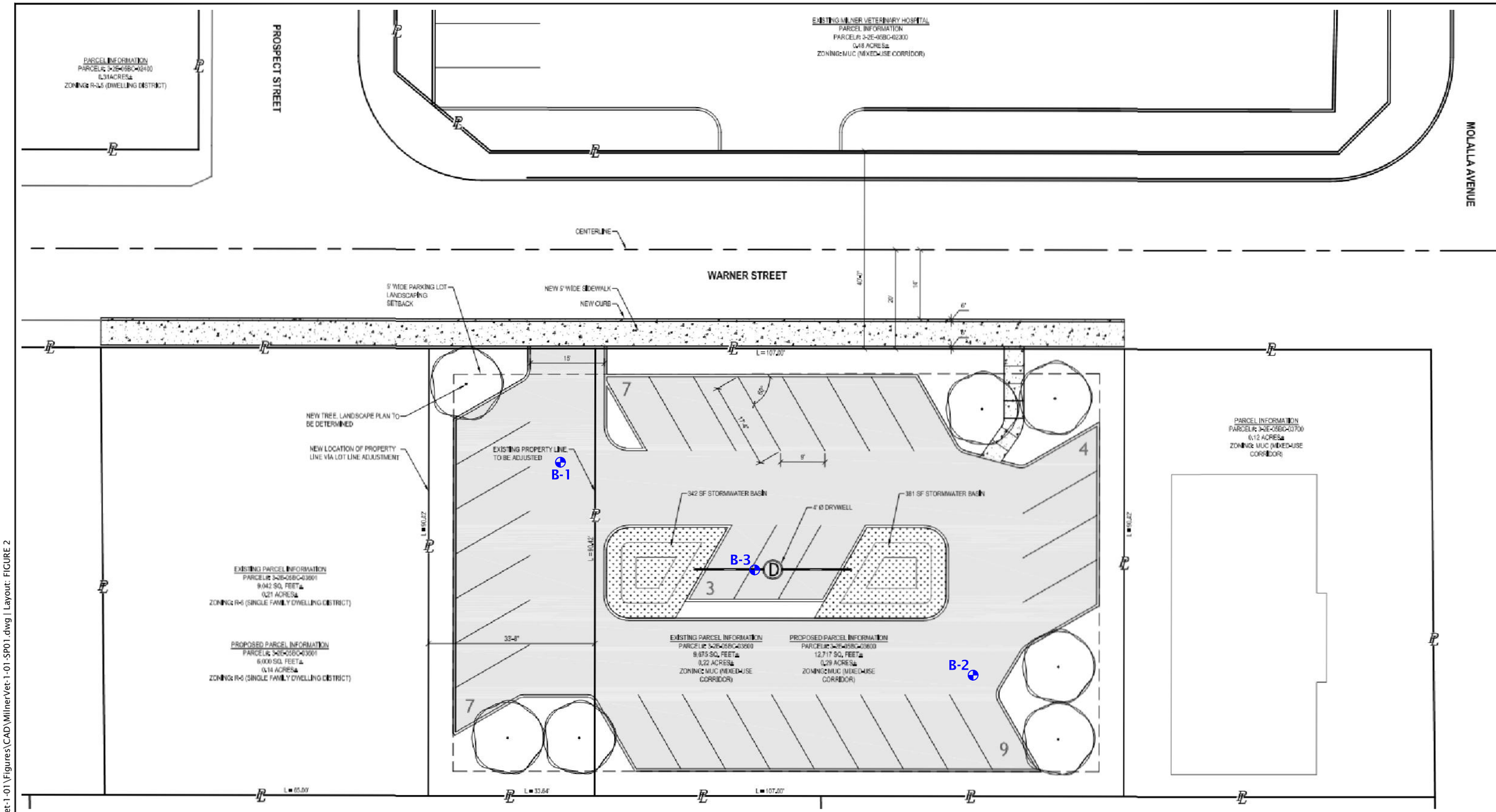


VICINITY MAP BASED ON AERIAL PHOTOGRAPH OBTAINED FROM GOOGLE EARTH PRO®

Printed By: mmiller | Print Date: 8/21/2018 4:25:57 PM
File Name: J:\M-R\MilnerVet\MilnerVet-1\MilnerVet-1-01\Figures\CAD\MilnerVet-1-01-VM01.dwg | Layout: FIGURE 1

GEODESIGN INC
9450 SW Commerce Circle - Suite 300
Wilsonville OR 97070
503.968.8787 www.geodesigninc.com

MILNERVET-1-01	**VICINITY MAP**	
AUGUST 2018	MILNER VETERINARY HOSPITAL PARKING LOT OREGON CITY, OR	**FIGURE 1**



LEGEND:

B-1 BORING

SITE PLAN BASED ON IMAGE OBTAINED FROM KPFF CONSULTING ENGINEERS JULY 23, 2018

N

0 20 40

(SCALE IN FEET)

SITE PLAN

FIGURE 2

MILNER VETERINARY HOSPITAL PARKING LOT
OREGON CITY, OR

MILNERVET-1-01

AUGUST 2018

GEODESIGN INC
9450 SW Commerce Circle - Suite 300
Wilsonville OR 97070
503.968.8787 www.geodesigninc.com

Printed By: mmiller | Print Date: 8/21/2018 4:25:59 PM
File Name: J:\M-R\MilnerVet\MilnerVet-1\MilnerVet-1-01\Figures\CAD\MilnerVet-1-01-SP01.dwg | Layout: FIGURE 2

ATTACHMENT

ATTACHMENT

FIELD EXPLORATIONS

GENERAL

We explored subsurface conditions at the site by drilling three borings (B-1 through B-3) to depths between 6.5 and 16.5 feet BGS. Drilling services were provided by Western States Soil Conservation, Inc. of Hubbard, Oregon, on August 3, 2018 using mud rotary drilling techniques. The exploration logs are presented in this attachment.

The locations of the explorations were determined in the field by pacing from existing site features. This information should be considered accurate to the degree implied by the method used.

SOIL SAMPLING

Samples were collected from the borings using a 1½-inch-inside diameter split-spoon sampler (SPT) in general accordance with ASTM D1586. The split-spoon samplers were driven into the soil with a 140-pound hammer free-falling 30 inches. The samplers were driven a total distance of 18 inches. The number of blows required to drive the sampler the final 12 inches is recorded on the exploration logs, unless otherwise noted. Sampling methods and intervals are shown on the exploration logs.

The average efficiency of the automatic SPT hammer used by Western States Soil Conservation, Inc. was 81.4 percent. The calibration testing results are presented at the end of this attachment.

SOIL CLASSIFICATION

The soil samples were classified in the field in accordance with the "Exploration Key" (Table A-1) and "Soil Classification System" (Table A-2), which are presented in this attachment. The exploration logs indicate the depths at which the soil characteristics change, although the change actually could be gradual. If the change occurred between sample locations, the depth was interpreted. Classifications are shown on the exploration logs.

LABORATORY TESTING

CLASSIFICATION

The soil samples were classified in the laboratory to confirm field classifications. The laboratory classifications are shown on the exploration logs if those classifications differed from the field classifications.

MOISTURE CONTENT

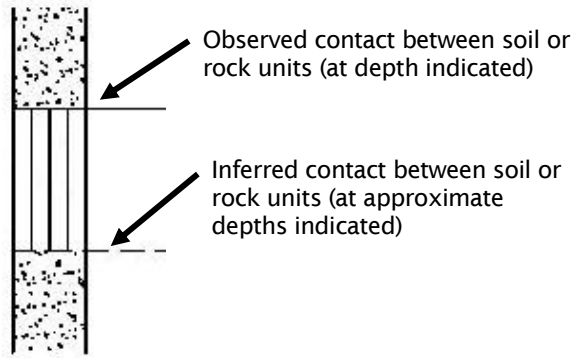
We determined the natural moisture content of select soil samples in general accordance with ASTM D2216. The natural moisture content is a ratio of the weight of the water to the dry weight of soil in a test sample expressed as a percentage. The test results are presented in this attachment.

PARTICLE-SIZE ANALYSIS

Particle-size analyses were completed on select soil samples in general accordance with ASTM D1140 (percent passing the U.S. Standard No. 200 sieve). This test determines the fraction of the soil particles in a sample that are finer than 75 micrometers expressed as percentage of its dry weight. The test results are presented in this attachment.

SYMBOL	SAMPLING DESCRIPTION
	Location of sample obtained in general accordance with ASTM D 1586 Standard Penetration Test with recovery
	Location of sample obtained using thin-wall Shelby tube or Geoprobe® sampler in general accordance with ASTM D 1587 with recovery
	Location of sample obtained using Dames & Moore sampler and 300-pound hammer or pushed with recovery
	Location of sample obtained using Dames & Moore and 140-pound hammer or pushed with recovery
	Location of sample obtained using 3-inch-O.D. California split-spoon sampler and 140-pound hammer
	Location of grab sample
	Rock coring interval
	Water level during drilling
	Water level taken on date shown

Graphic Log of Soil and Rock Types



GEOTECHNICAL TESTING EXPLANATIONS

ATT	Atterberg Limits	P	Pushed Sample
CBR	California Bearing Ratio	PP	Pocket Penetrometer
CON	Consolidation	P200	Percent Passing U.S. Standard No. 200 Sieve
DD	Dry Density		
DS	Direct Shear	RES	Resilient Modulus
HYD	Hydrometer Gradation	SIEV	Sieve Gradation
MC	Moisture Content	TOR	Torvane
MD	Moisture-Density Relationship	UC	Unconfined Compressive Strength
NP	Nonplastic	VS	Vane Shear
OC	Organic Content	kPa	Kilopascal

ENVIRONMENTAL TESTING EXPLANATIONS

CA	Sample Submitted for Chemical Analysis	ND	Not Detected
P	Pushed Sample	NS	No Visible Sheen
PID	Photoionization Detector Headspace Analysis	SS	Slight Sheen
		MS	Moderate Sheen
ppm	Parts per Million	HS	Heavy Sheen

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EXPLORATION KEY

TABLE A-1

RELATIVE DENSITY - COARSE-GRAINED SOIL

Relative Density	Standard Penetration Resistance	Dames & Moore Sampler (140-pound hammer)	Dames & Moore Sampler (300-pound hammer)
Very Loose	0 – 4	0 - 11	0 - 4
Loose	4 – 10	11 - 26	4 - 10
Medium Dense	10 – 30	26 - 74	10 - 30
Dense	30 – 50	74 - 120	30 - 47
Very Dense	More than 50	More than 120	More than 47

CONSISTENCY - FINE-GRAINED SOIL

Consistency	Standard Penetration Resistance	Dames & Moore Sampler (140-pound hammer)	Dames & Moore Sampler (300-pound hammer)	Unconfined Compressive Strength (tsf)
Very Soft	Less than 2	Less than 3	Less than 2	Less than 0.25
Soft	2 - 4	3 – 6	2 - 5	0.25 - 0.50
Medium Stiff	4 - 8	6 – 12	5 - 9	0.50 - 1.0
Stiff	8 - 15	12 – 25	9 - 19	1.0 - 2.0
Very Stiff	15 - 30	25 – 65	19 – 31	2.0 - 4.0
Hard	More than 30	More than 65	More than 31	More than 4.0

PRIMARY SOIL DIVISIONS			GROUP SYMBOL	GROUP NAME
COARSE-GRAINED SOIL (more than 50% retained on No. 200 sieve)	GRAVEL (more than 50% of coarse fraction retained on No. 4 sieve)	CLEAN GRAVEL (< 5% fines)	GW or GP	GRAVEL
		GRAVEL WITH FINES (≥ 5% and ≤ 12% fines)	GW-GM or GP-GM	GRAVEL with silt
			GW-GC or GP-GC	GRAVEL with clay
		GRAVEL WITH FINES (> 12% fines)	GM	silty GRAVEL
			GC	clayey GRAVEL
			GC-GM	silty, clayey GRAVEL
	SAND (50% or more of coarse fraction passing No. 4 sieve)	CLEAN SAND (<5% fines)	SW or SP	SAND
		SAND WITH FINES (≥ 5% and ≤ 12% fines)	SW-SM or SP-SM	SAND with silt
			SW-SC or SP-SC	SAND with clay
		SAND WITH FINES (> 12% fines)	SM	silty SAND
			SC	clayey SAND
			SC-SM	silty, clayey SAND
FINE-GRAINED SOIL (50% or more passing No. 200 sieve)	SILT AND CLAY	Liquid limit less than 50	ML	SILT
			CL	CLAY
			CL-ML	silty CLAY
			OL	ORGANIC SILT or ORGANIC CLAY
		Liquid limit 50 or greater	MH	SILT
			CH	CLAY
			OH	ORGANIC SILT or ORGANIC CLAY
HIGHLY ORGANIC SOIL			PT	PEAT

MOISTURE CLASSIFICATION

Term	Field Test
dry	very low moisture, dry to touch
moist	damp, without visible moisture
wet	visible free water, usually saturated

ADDITIONAL CONSTITUENTS

Secondary granular components or other materials such as organics, man-made debris, etc.

Percent	Silt and Clay In: Fine-Grained Soil	Silt and Clay In: Coarse-Grained Soil	Percent	Sand and Gravel In: Fine-Grained Soil	Sand and Gravel In: Coarse-Grained Soil
< 5	trace	trace	< 5	trace	trace
5 – 12	minor	with	5 – 15	minor	minor
> 12	some	silty/clayey	15 – 30	with	with
			> 30	sandy/gravelly	Indicate %

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SOIL CLASSIFICATION SYSTEM

TABLE A-2

DEPTH FEET	GRAPHIC LOG	MATERIAL DESCRIPTION	ELEVATION / DEPTH	TESTING	SAMPLE	▲ BLOW COUNT ● MOISTURE CONTENT % ▥ RQD% ▨ CORE REC% (0 – 50 – 100)	INSTALLATION AND COMMENTS
0.0		Very stiff, brown with black spotted CLAY (CL/CH), minor gravel, trace sand; moist, gravel is subangular and intensely weathered (decomposed basalt) (2-inch-thick root zone).					
2.5						19	
5.0		stiff at 5.0 feet		P200		14	P200 = 93%
7.5		very stiff, without gravel at 7.5 feet				17	
10.0		stiff to very stiff, trace gravel; gravel is intensely weathered at 10.0 feet				15	
12.5							
15.0		medium stiff at 15.0 feet		P200		7	P200 = 88%
		Exploration completed at a depth of 16.5 feet.	16.5				Surface elevation was not measured at the time of exploration.
17.5		Hammer efficiency factor is 81.4 percent.					
20.0							

DRILLED BY: Western States Soil Conservation, Inc. LOGGED BY: R. Kistler COMPLETED: 08/03/18

BORING METHOD: mud rotary (see document text) BORING BIT DIAMETER: 4 7/8 inches

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MILNERVET-1-01

AUGUST 2018

BORING B-1

MILNER VETERINARY HOSPITAL PARKING LOT
OREGON CITY, OR

FIGURE A-1

DEPTH FEET	GRAPHIC LOG	MATERIAL DESCRIPTION	ELEVATION / DEPTH	TESTING	SAMPLE	▲ BLOW COUNT ● MOISTURE CONTENT % ▥ RQD% ▨ CORE REC% (0 – 50 – 100)	INSTALLATION AND COMMENTS
0.0		Hard, brown with black spotted CLAY (CL/CH), minor gravel, trace sand; moist, gravel is intensely weathered (decomposed basalt) (2-inch-thick root zone).					
2.5						▲ 33	
5.0		very stiff at 5.0 feet				▲ 21 ●	
		Exploration completed at a depth of 6.5 feet.	6.5				Surface elevation was not measured at the time of exploration.
7.5		Hammer efficiency factor is 81.4 percent.					
10.0							
12.5							
15.0							
17.5							
20.0							

DRILLED BY: Western States Soil Conservation, Inc. LOGGED BY: R. Kistler COMPLETED: 08/03/18

BORING METHOD: mud rotary (see document text) BORING BIT DIAMETER: 4 7/8 inches

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MILNERVET-1-01

AUGUST 2018

BORING B-2

MILNER VETERINARY HOSPITAL PARKING LOT
OREGON CITY, OR

FIGURE A-2

DEPTH FEET	GRAPHIC LOG	MATERIAL DESCRIPTION	ELEVATION / DEPTH	TESTING	SAMPLE	▲ BLOW COUNT ● MOISTURE CONTENT % ▥ RQD% ▨ CORE REC% (0 – 50 – 100)	INSTALLATION AND COMMENTS
0.0		Very stiff, brown with black spotted CLAY (CL/CH), minor gravel, trace sand; moist, gravel is intensely weathered (decomposed basalt) (2-inch-thick root zone).					
2.5						27	
5.0		stiff to very stiff, brown with gray mottles, without gravel at 5.0 feet				15	
		Exploration completed at depth of 6.5 feet.	6.5				Surface elevation was not measured at the time of exploration.
7.5		Hammer efficiency factor is 81.4 percent.					
10.0							
12.5							
15.0							
17.5							
20.0							

DRILLED BY: Western States Soil Conservation, Inc. LOGGED BY: R. Kistler COMPLETED: 08/03/18

BORING METHOD: mud rotary (see document text) BORING BIT DIAMETER: 4 7/8 inches

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MILNERVET-1-01

AUGUST 2018

BORING B-3

MILNER VETERINARY HOSPITAL PARKING LOT
OREGON CITY, OR

FIGURE A-3

SAMPLE INFORMATION			MOISTURE CONTENT (PERCENT)	DRY DENSITY (PCF)	SIEVE			ATTERBERG LIMITS		
EXPLORATION NUMBER	SAMPLE DEPTH (FEET)	ELEVATION (FEET)			GRAVEL (PERCENT)	SAND (PERCENT)	P200 (PERCENT)	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX
B-1	2.5		30							
B-1	5.0		33				93			
B-1	15.0		67				88			
B-2	5.0		31							
B-3	2.5		29							

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MILNERVET-1-01

AUGUST 2018

SUMMARY OF LABORATORY DATA

MILNER VETERINARY HOSPITAL PARKING LOT
OREGON CITY, OR

FIGURE A-4

Pile Dynamics, Inc.
SPT Analyzer Results

RIG #9 - Serial No. 403487
PDA-S Ver. 2017.22 - Printed: 5/9/2018

Summary of SPT Test Results

Project: WSSC-8-03, Test Date: 5/9/2018

EMX: Maximum Energy

ETR: Energy Transfer Ratio - Rated

Start Depth ft	Final Depth ft	**N Value**	**N60 Value**	Average EMX ft-lb	Average ETR %
25.00	26.50	**12**	**16**	290.01	82.9
30.00	31.50	**16**	**21**	280.85	80.2
35.00	36.50	**26**	**35**	287.04	82.0
40.00	41.50	**29**	**39**	282.85	80.8
			Overall Average Values:	284.81	81.4
			Standard Deviation:	6.09	1.7
			Overall Maximum Value:	295.59	84.5
			Overall Minimum Value:	268.85	76.8

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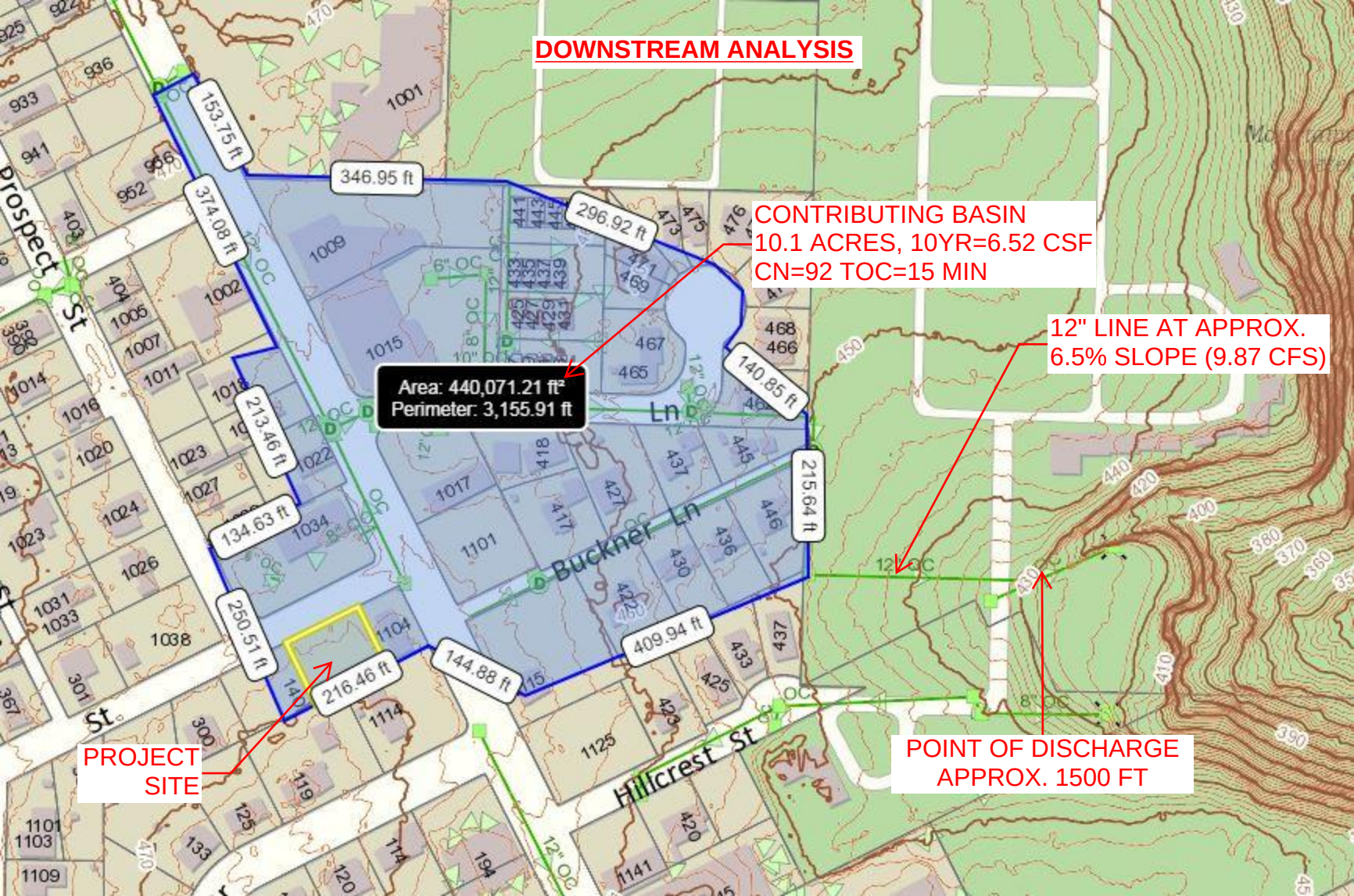
Appendix C

Conveyance Calculations and Downstream Analysis

Conveyance Calcs

BASIN	DESIGN SECTION			Rational Method Calculations				Cumulative	DESIGN					
	FROM	TO	C	I (in/hr)	A (acres)	Basin Runo Q (cfs)	Runoff Q (cfs)	Slope (%)	Diameter (in)	Capacity Q_f (cfs)	Velocity V_f ft/s	Runoff Ratio Q/Q_f	Velocity at Q/Q_f	Capacity Q vs. Q_f
10-YEAR STORM EVENT														
BMP A	SD OV-1	EX. MH-1	0.74	2.80	0.21	0.44	0.44	1.00	6	0.56	2.86	0.78	3.00	OK*
100-YEAR STORM EVENT														
BMP A	SD OV-1	EX. MH-1	0.74	4.00	0.21	0.62	0.62	1.00	6	0.56	2.86	1.11	3.14	SMALL**

* = Overflow and piping allows for 10-year storm event
** = Overflow and piping allows for most of 100-year storm event. Additional flow will over top rain garden and proceed overland into Warner Street.


DOWNSTREAM ANALYSIS
CONTRIBUTING BASIN
10.1 ACRES, 10YR=6.52 CSF
CN=92 TOC=15 MIN
12" LINE AT APPROX.
6.5% SLOPE (9.87 CFS)
Area: 440,071.21 ft²
Perimeter: 3,155.91 ft
153.75 ft
346.95 ft
296.92 ft
374.08 ft
140.85 ft
213.46 ft
134.63 ft
215.64 ft
250.51 ft
216.46 ft
144.88 ft
409.94 ft
Buckner Ln
Hillcrest St
Prospect St
PROJECT
SITE
POINT OF DISCHARGE
APPROX. 1500 FT

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Appendix D

WES BMP Sizing Report

WES BMP Sizing Report

Project Information

Project Name	Milner Parking Lot
Project Type	Addition
Location	
Stormwater Management Area	430
Project Applicant	Steve Milner
Jurisdiction	CCSD1NCSA

Drainage Management Area

Name	Area (sq-ft)	Pre-Project Cover	Post-Project Cover	DMA Soil Type	BMP
Parking Lot	6,805	Grass	ConventionalConcrete	D	BMP
Landscape	2,091	Grass	LandscapeDsoil	D	BMP

LID Facility Sizing Details

LID ID	Design Criteria	BMP Type	Facility Soil Type	Minimum Area (sq-ft)	Planned Areas (sq-ft)	Orifice Diameter (in)
BMP	FlowControlAndTreatment	Rain Garden - Infiltration	A1	330.7	430.0	0.0

Pond Sizing Details

1. FCWQT = Flow control and water quality treatment, WQT = Water quality treatment only

2. Depth is measured from the bottom of the facility and includes the three feet of media (drain rock, separation layer and growing media).

3. Maximum volume of the facility. Includes the volume occupied by the media at the bottom of the facility.

4. Maximum water storage volume of the facility. Includes water storage in the three feet of soil media assuming a 40 percent porosity.

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Appendix E

Operations and Maintenance Plan

Operations and Maintenance Plan

Milner Veterinary Hospital Parking Lot Expansion

Prepared for: Steve Milner
Project Engineer: Daan Dommels, PE, PMP

April 2019 | KPFF Project #1800304

kpff

KPFF'S COMMITMENT TO SUSTAINABILITY

As a member of the US Green Building Council, a sustaining member of Oregon Natural Step, and a member of the Sustainable Products Purchasers Coalition, KPFF is committed to the practice of sustainable design and the use of sustainable materials in our work.

When hardcopy reports are provided by KPFF, they are prepared using recycled and recyclable materials, reflecting KPFF's commitment to using sustainable practices and methods in all of our products.

Table of Contents

Introduction 2
Facility Information 2
Contact for Stormwater Facility Maintenance 2
Narrative 2
Operations and Maintenance 2
Operating Procedures 2
Regular Maintenance 2
Inspections 3
Maintenance Standards 3
Connected Facilities 3
O&M Plan Responsibility 3
Responsible Party 3
Funding 3

Appendices

Appendix A
Site Plan
Appendix B
O&M Requirements
Appendix C
Maintenance Agreement

Introduction

Facility Information

The project will use a rain garden to provide flow control and treatment in accordance with the Oregon City Stormwater and Grading Design Standards. The runoff from the pavement will sheet flow into a lynch style catch basin that will provide pre-treatment prior to discharging to the rain garden. The rain garden will have an open bottom to allow for natural infiltration. However, due to the limited infiltration capacity of the native soil, the sizing and design for the rain garden did not take infiltration into account and an additional underdrain system is provided to allow for excess runoff to be conveyed away from the facility. See Appendix A for a site plan.

Contact for Stormwater Facility Maintenance

Organization:	Milner Veterinary Clinic
Address:	1034 Molalla Ave.
	Oregon City, Oregon 97045
Contact:	Steve Milner
Telephone:	503-704-6307
E-Mail:	stevemilnerdvm@gmail.com

Narrative

The project site is located off of Warner Street, between Molalla Avenue and Prospect Street. It will include a newly constructed parking lot for approximately 19 vehicular parking spots with sidewalk frontage improvements. There is perimeter and interior landscaping which includes a rain garden with an underdrain and overflow structure. Discharge from the facility will cross Warner Street and connect to a manhole located along Molalla Avenue in the Milner Veterinary Hospital Site.

The rain garden is constructed based on the WES BMP Sizing Standards to allow for flow control and treatment.

Operations and Maintenance

Operating Procedures

The facilities should operate as intended if properly maintained. No additional seasonal modifications or adjustments to the facilities will be necessary to operate the stormwater management facilities.

Regular Maintenance

The rain garden should be kept clear of weeds and debris at all times and shall be inspected regularly to ensure that the side slopes are stable and ponds are not forming within the facilities. Maintenance records shall be maintained to record the date, type, and a description of the maintenance activities. See figure C-6 (Rain Gardens Operations & Maintenance Plan) within Appendix B for a recommended annual maintenance schedule and maintenance procedures to common deficiencies.

Inspections

The facilities should be inspected on a monthly basis. See Figure C-20 (Stormwater Facilities Operation & Maintenance Checklist) within Appendix B for a checklist of additional inspection requirements and recommended inspection frequencies.

Maintenance Standards

See Figure C-6 within Appendix B, for the required standards. Any deficiencies in the facilities should be noted and corrected to meet the requirements outlined.

Connected Facilities

Both of the storm planters are connected by the storm line that carries the runoff east to the perforated pipes and off of the site.

O&M Plan Responsibility

Responsible Party

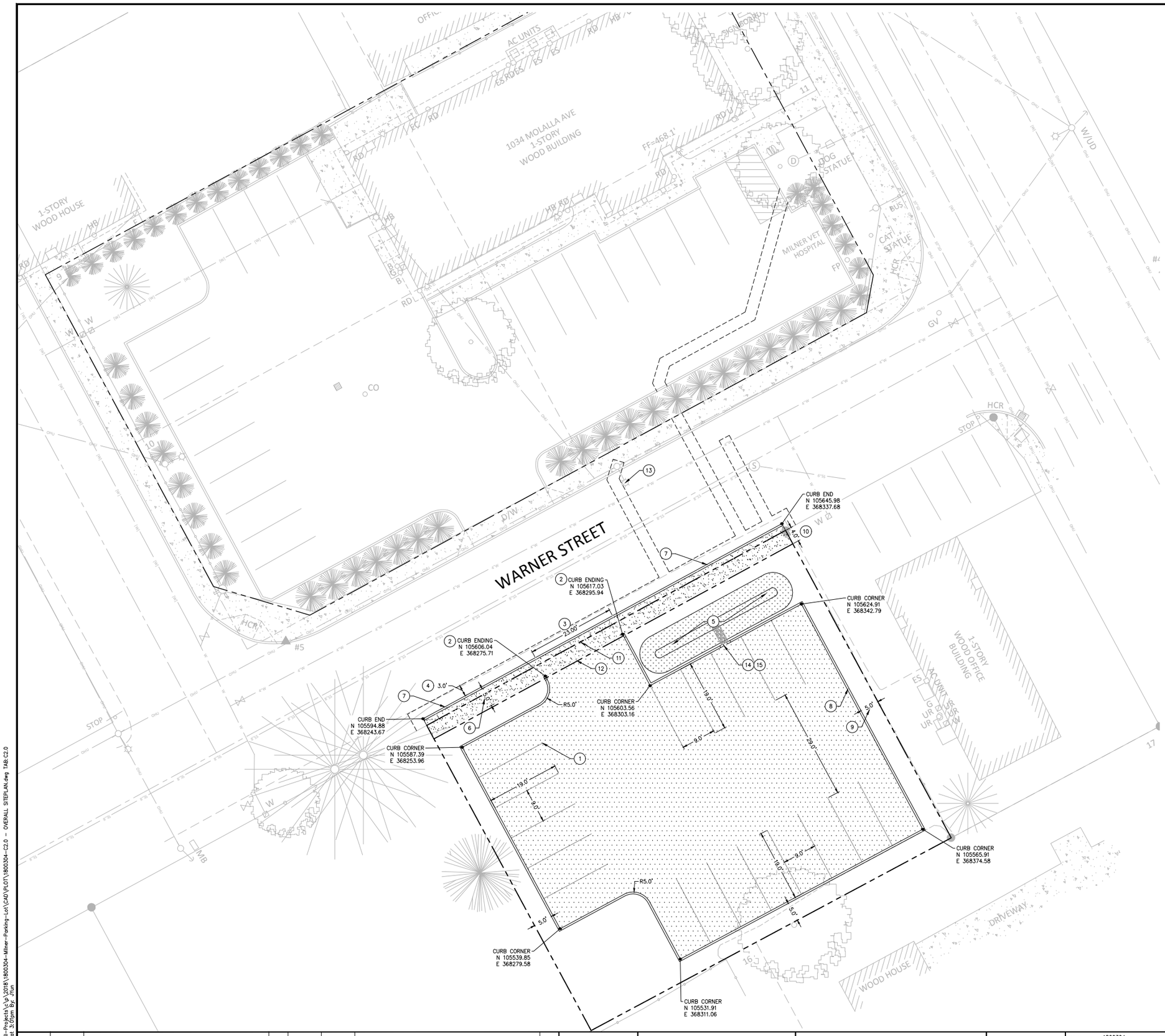
The owner shall be responsible for ongoing maintenance and inspections of stormwater management facilities (see page 2 for contact information).

Funding

The owner shall be responsible for funding the ongoing maintenance and operations of the stormwater management facilities.

Appendix A

Site Plan



SHEET NOTES

1. ALL DIMENSIONS AND COORDINATES ARE TO FACE OF CURB OR FACE OF WALL.

(X) KEY NOTES

1 STANDARD 4" WHITE STRIPING
2 CURB ENDING — 2/C5.0
3 23' COMMERCIAL CURB TIGHT DRIVEWAY — 7/C5.0
4 SAWCUT 3 FEET FROM EDGE OF GUTTER, RESTORE PAVEMENT IN ACCORDANCE WITH THE CITY OF OREGON CITY PUBLIC WORKS PAVEMENT CUT STANDARDS.
5 STORMWATER MANAGEMENT FACILITY
6 5' WIDE SIDEWALK — 5/C5.0
7 STANDARD CURB — 6/C5.0
8 STANDARD CURB — 3/C5.0
9 5' LANDSCAPED SETBACK FROM PROPERTY LINE
10 4' RIGHT-OF-WAY DEDICATION
11 OLD PROPERTY LINE
12 NEW PROPERTY LINE
13 EXISTING STREET LIGHT BY PGE
14 CURB SPILLWAY — 4/C5.0
15 6" CURB INLET AND RIP-RAP PROTECTION — 2/C5.1

LEGEND

PROPERTY LINE
SAW CUT
ASPHALT PAVEMENT — 1/C5.0
CONCRETE SIDEWALK PAVEMENT — 4/C5.0

REVISION	DATE	DESCRIPTION	BY	REVISION	DATE	DESCRIPTION	BY

SCALE 1 INCH = 10 FEET
10 0 10 20

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111 SW Fifth Ave., Suite 2400
Portland, OR 97204
O: 503.227.3251
F: 503.224.4681
www.kpff.com

JOB No.:	1800304
DESIGNED BY:	XXX
DRAWN BY:	XXX
CHECKED BY:	XXX
DATE:	XX/XX/XX
PLOTTED BY:	JYun
DWG NAME:	
TAB NAME:	C2.0

1034 Molalla Avenue Oregon City, OR 97045

MILNER VETERINARY HOSPITAL
PARKING LOT EXPANSION

OVERALL SITE PLAN

SHEET NO. C2.0
SHEET 4 OF 13
RECORD NO. 1700123-XX

File: \\civilpdx1\Civil-Projects\p\2018\1800304-Milner-Parking-Lot\CAD\PLOT\1800304-C2.0 - OVERALL SITEPLAN.dwg TAB:C2.0
30x42 Plotted: 3/26/19 at 3:01pm By: JYun

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Appendix B

O&M Requirements

Rain Gardens
Operations & Maintenance Plan

What to Look For	What to Do
Structural Components, including inlets and outlets/overflows, shall freely convey stormwater.	
Clogged inlets or outlets	-Remove sediment and debris from catch basins, trench drains and curb inlets and pipes to maintain at least 50% conveyance capacity at all times.
Cracked Drain Pipes	-Repair/seal cracks. Replace when repair is insufficient.
Check Dams	-Maintain 4 to 10 inch deep rock check dams at design intervals.
Vegetation	
Dead or strained vegetation	-Replant per original planting plan, or substitute from Appendix A. -Irrigate as needed. Mulch banks annually. DO NOT apply fertilizers, herbicides, or pesticides.
Tall Grass and Vegetation	-Cut back grass and prune overgrowth 1-2 times per year. Remove cuttings.
Weeds	-Manually remove weeds. Remove all plant debris.
Growing/Filter Medium, including soil and gravels, shall sustain healthy plant cover and infiltrate within 72 hours.	
Gullies	-Fill, lightly compact, and plant vegetation to disperse flow.
Erosion	-Replace splash blocks or inlet gravel/rock.
Slope Slippage	-Stabilize 3:1 slopes/banks with plantings from Appendix A.
Ponding	-Rake, till, or amend to restore infiltration rate.

Annual Maintenance Schedule:

Summer. Make any structural repairs. Improve filter medium as needed. Clear drain. Irrigate as needed.
Fall. Replant exposed soil and replace dead plants. Remove sediment and plant debris.
Winter. Monitor infiltration/flow-through rates. Clear inlets and outlets/overflows to maintain conveyance.
Spring. Remove sediment and plant debris. Replant exposed soil and replace dead plants. Mulch.
All seasons. Weed as necessary. Clean scuppers or curb cuts as needed.
Maintenance Records: Record date, description, and contractor (if applicable) for all structural repairs, landscape maintenance, and facility cleanout activities. Keep work orders and invoices on file and make available upon request of the inspector.
Access: Maintain ingress/egress to design standards.
Infiltration/Flow Control: All facilities shall drain within 72 hours. Record time/date, weather, and site conditions when ponding occurs.
Pollution Prevention: All sites shall implement best management practices to prevent hazardous or solid wastes or excessive oil and sediment from contaminating stormwater. Contact emergency response agencies for immediate assistance responding to spills. Record time/date, weather, and site conditions if site activities contaminate stormwater.
Vectors (Mosquitoes & Rodents): Stormwater facilities shall not harbor mosquito larvae or rats that pose a threat to public health or that undermine the facility structure. Monitor standing water for small wiggling sticks perpendicular to the water's surface. Note holes/burrows in and around facilities. Call Clackamas County Vector Control for immediate assistance to eradicate vectors. Record time/date, weather, and site conditions when vector activity observed.

STORMWATER FACILITIES
OPERATIONS AND MAINTENANCE CHECKLIST

Problem	Recommended / Required	Trigger	Preferred Condition
Sediment Accumulation in Treatment Area	Monthly from November through April / Annually Required	Sediment depth exceeds 3 inches	Sediment removed from vegetated treatment area: level side to side and drains freely toward outlet; no standing water within 24 hours of any major storm (1" in 24 hours)
Erosion Scouring	Monthly from November through April / Annually Required	Exposed earth or rutted soil	Repair ruts or bare areas by filling with topsoil during dry season; regrade and replant large bare areas
Standing Water	Monthly from November through April and after any major storm event (1 inch in 24 hours)	Standing water in the planter between storms that does not drain freely	Remove sediment or trash blockages; improve end to end grade so there is no standing water 24 hours after any major storm (1 inch in 24 hours)
Flow not Distributed Evenly	Monthly from November through April / Annually Required	Flows unevenly distributed through planter width due to uneven or clogged flow spreader	Level the spreader and clean so that flows spread evenly over entire planter width
Settlement/ Misalignment	Annually Required	Failure of planters has created safety, function, or design problem	Planter replaced or repaired to design standards
Constant Baseflow	Monthly from November through April / Annually Required	Small, continual flow of water through the planter even after weeks without rain; planter bottom has an eroded, muddy channel	Add a low-flow pea gravel drain the length of the planter or bypass the baseflow around the planter
Vegetation	Monthly from November through April / Annually Required	Vegetation blocking more than 10% of the inlet pipe opening	No vegetation blocking the inlet pipe opening
Poor Vegetation Coverage	Monthly / Annually Required	Grass or other vegetation is sparse, or bare in more than 10% of the planter area	Determine cause of poor growth and correct the condition; replant with plants (per Appendix A) as needed to meet facility standards
Invasive Vegetation	Monthly / Annually Required	No invasive vegetation is planted or permitted to remain	No invasive vegetation present; remove excessive weeds. Control if complete eradication is not feasible
Rodents	Monthly / Annually Required	Evidence of rodents or rodent damage	No rodents; functioning facility
Insects	Annually Required	Insects such as wasps and hornets that interfere with maintenance activities	Harmful Insects removed
Trash and Debris	Monthly and after any major storm event (1 inch in 24 hours) / Annually Required	Visual evidence of trash, debris or dumping	Trash and Debris removed from facility
Contamination and Pollution	Monthly from November through April / Annually Required	Any evidence of oil, gasoline, contamination or other pollutants	No contaminants or pollutants present; coordinate removal/cleanup with local water quality response agency
Obstructed Inlet/Outlet	Monthly and after any major storm event (1 inch in 24 hours) / Annually Required	Inlet/outlet areas clogged with sediment, vegetation or debris	Clear inlet and outlet; obstructions removed
Excessive Shading	Monthly from November through April / Annually Required	Vegetation growth is poor because sunlight does not reach planter	Trim over-hanging limbs and/or remove brushy vegetation as needed
Vegetation	Monthly from November through April / Annually Required	Specified or approved grass grows so tall that it competes with shrubs and/or becomes a fire danger	String trim non-wetland grasses to 4 to 6 inches and remove clippings; protect woody vegetation

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Appendix C

Maintenance Agreement

After recording return to:

CITY RECORDER
PO BOX 3040
Oregon City, OR 97045
City Planning No.:

Tax Map/Lot: _____
Drainage Area Served: _____

MAINTENANCE COVENANT AND ACCESS EASEMENT

THIS MAINTENANCE COVENANT AND ACCESS EASEMENT ("Agreement") is made this ___day of _____, 20___, between [FILL IN OWNERSHIP INFO] an [FILL IN COMPANY STATUS SUCH AS LLC] ("Developer"), and the CITY OF OREGON CITY, a municipal corporation of the State of Oregon formed pursuant to ORS Chapter 457 (the "City").

RECITALS

A. Developer is the owner and developer of certain real property located in the City of Oregon City, Clackamas County, Oregon, legally described on Exhibit A attached hereto and commonly known as [FILL IN PROPERTY INFO], OREGON CITY, OR 97045 (the "Development").

B. Developer has developed or will develop at the Development a stormwater management facility as further described below:

List the Type, Quantity, and Location of all stormwater management facilities proposed and constructed within the development.

one rain garden located along the northeast part of the property facing Warner Street

C. The City has approved construction plans submitted by Developer for the Development, including the on-site stormwater facilities as described above (together with any other stormwater facilities that may hereafter be constructed on the Development, the "Stormwater Facilities").

D. To protect future lot owners in the Development, as well as owners of neighboring property, the City requires Developer to enter into this Agreement as a condition to the City's approval of construction plans, building permit(s), if applicable, and the final plat, if applicable, for the Development.

E. The Stormwater Facilities enable development of property while mitigating the impacts of additional surface water and pollutants associated with stormwater runoff prior to discharge from the property to the public stormwater system. The consideration for this Agreement is connection to the City's stormwater system.

F. The Stormwater Facilities are designed by a registered professional engineer to accommodate the anticipated volume of runoff and to detain and treat runoff in accordance with City's Stormwater and Grading Design Standards and its amendments.

G. Failure to inspect and maintain the Stormwater Facilities can result in an unacceptable impact to the public stormwater system.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer agree as follows:

1. **Covenant to Maintain and Repair**. Developer shall, at its sole expense, itself or through qualified independent contractors, at all times maintain the Stormwater Facilities in good working order, condition and repair, clear of all debris, and in compliance with all applicable state and local rules, regulations, and guidelines (including those adopted from time to time by the City and including the City's Stormwater and Grading Design Standards).

2. **Covenant to Inspect.** Developer shall perform annual inspections of all Stormwater Facilities covered by this agreement. The annual inspection required by this Agreement shall identify any work necessary to repair or maintain facilities in good working order. Developer shall provide Oregon City Public Works with annual maintenance inspection forms, including an identification of the corrective actions the Developer has taken in response to the annual inspection. See the City's Public Works Department Engineering Policies for appropriate inspection forms.

3. **Easement.** Developer hereby grants the City, its employees, independent contractors and designees, a nonexclusive easement for ingress and egress over, across and under the Development from time to time at the City's sole discretion to inspect, sample, and monitor components of the Stormwater Facilities and discharges therefrom, as well as allow the City to take the actions described in Sections 4 and 5 of this Agreement. Developer understands and agrees that this easement limits the ability of Developer, its successors and assigns from constructing any permanent buildings, structures, landscaping or other improvements that would interfere with the functioning of the Stormwater Facilities or the City's access to perform the inspection and maintenance required under this Agreement.

4. **Failure to Perform Covenant.** If the City, in its sole discretion, determines that Developer is not in compliance with the covenant described in Sections 1 and 2, except in the case of an emergency, the City or its designee shall give the Developer written notice to perform the maintenance and/or repair work specified in the notice. If such work is not performed to the City's satisfaction within seven (7) days after the date of such notice, or such other time as the City may, in its sole discretion, determine, the City, its employees, independent contractors and

designees may exercise their right under the Easement described in Section 3 of this Agreement to enter the Development to perform any and all work required bringing the Stormwater Facilities into compliance with this Agreement.

5. **Emergency**. If the City, in its sole discretion, determines that there exists or will likely exist an emergency on or about the Development with respect to the Stormwater Facilities, the City, its employees, independent contractors and designees may immediately exercise their rights under the Easement described in Section 3 of this Agreement to immediately enter the Development to perform any and all work required to bring the Stormwater Facilities into compliance with this Agreement, and in such case the City shall use reasonable efforts to notify the Developer prior to entering the Development. Notwithstanding the above, the work performed may consist only of avoiding or mitigating the emergency and/or cleaning and repairing the Stormwater Facilities to their original condition and standards.

6. **City Under No Obligation.** Developer, for itself and its successors and assigns (including all owners of lots in the Development), agrees that the City, as well as its departments, employees, independent contractors and/or designees shall have no obligation to exercise its rights under this Agreement, including the right under Sections 4 and 5 of this Agreement to perform the work required of the Developer, or to perform any other maintenance or repair of the stormwater facilities. Developer also agrees that none of the City, as well as its departments, employees, independent contractors and/or designees shall have any liability to Developer or any of Developer's successors or assigns (including owners of lots in the Development) in connection with the exercise or nonexercise of such rights, the maintenance or repair of the stormwater facilities, or the failure to perform the same.

7. **Developer Obligations**. In addition to the covenants and easement described above, Developer agrees to the following additional obligations.

a. Prior to the sale of any portion of the Development, Developer shall provide to the City's Public Works Department, a copy of the Operations and Maintenance Manual for the Stormwater Facilities, which shall include detailed diagrams and descriptions identifying the components and operations of the Stormwater Facilities.

b. Prior to final approval of the Development, developer shall record this document in the deed records of Clackamas County and provide a copy of the recorded document to the City.

c. Developer shall notify the City's Public Works Director in writing of the person responsible for compliance with Developer's obligations under this covenant ("Developer Designee"), and of any change in the Developer Designee. Developer expressly agrees that the Developer Designee shall have the authority to bind Developer, its successors and assigns with respect to the matters described in this Agreement.

d. Upon sale or transfer of the Development, or any portion thereof, including any lots in a subdivision, the Developer shall inform the purchaser of the obligations required under this Agreement.

8. **Reimbursement**. If the City exercises its right to enter the Development pursuant to the Easement described in Section 3 of this Agreement, Developer shall reimburse the City for all of its costs and expenses incurred in connection therewith within thirty (30) days after receipt of an invoice. If Developer fails to pay the invoiced amount within such period, such amount shall thereafter accrue interest at the statutory rate. Such amount, together with interest, shall be a lien on the Development (and each of the lots contained therein) which may be foreclosed in accordance with ORS Chapter 88. If the Development is owned by more than one person (i.e., multiple lot owners), each such owner shall be jointly and severally liable for payment of the amounts provided for in Section 3.

9. **Indemnification**. Developer agrees to indemnify, defend (with legal counsel reasonably acceptable to the City), and hold harmless the City, its employees, independent contractors and designees harmless from and against any liability, losses, costs, expenses (including reasonable attorney fees), claims or suits arising from Developer's failure to perform its obligations under this Agreements or the exercise of the City's rights under this Agreement.

10. **Run with the Land**. The parties' rights and obligations contained herein shall run with the land and shall be binding upon Developer and its successors and assigns (including, without limitation, subsequent owners of lots in the Development and any homeowner's association owning common areas in the Development). Those rights and obligations shall inure to the benefit of the City, as well as its successors and assigns.

11. **Attorney Fees.** If legal action is commenced in connection with this Agreement, the prevailing party in such action shall be entitled to recover its reasonable attorney fees and costs incurred in the trial court and in the appeal therefrom. The term "action" shall be deemed to include action commenced in the bankruptcy courts of the United States and any other court of general or limited jurisdiction.

12. **Assignment**. The obligations of Developer (and subsequent owners of lots in the Development) under this Agreement may not be assigned except (a) in connection with the sale of the property owned by such person (in which case the transferee will be deemed to assume such obligations), and (b) with the prior written consent of the City, to a homeowner's association that owns and maintains the common areas of the Development.

13. **Authority.** If Developer is an entity, the individual executing this Agreement on behalf of Developer represents and warrants to the City that he or she has the full power and authority to do so and that Developer has full right and authority to enter into this Agreement and perform its obligations under this Agreement.

IN WITNESS WHEREOF, Developer and the City have executed this instrument on the date first written above.

[Signature Page Follows]

DEVELOPER:	CITY OF OREGON CITY
_____ By: Steve Milner DVM	_____ By: _____ City Manager By: _____ Public Works Director

CITY

STATE OF OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on _____, by _____, as_____ of the City of Oregon City.

_____
Notary Public for Oregon
My Commission Expires _____

DEVELOPER

STATE OF OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on _____, by _____.

_____
Notary Public for Oregon
My Commission Expires _____

This page is intentionally blank.

April 8, 2019

419 Roosevelt St
Oregon City, OR 97045

Attn: Chris Goslin
Milner Veterinary Hospital
1034 Molalla Ave
Oregon City, OR 97045

To Whom This May Concern:

This letter is a notification that our 3/12/19 meeting had a land use issue presented by Chris Goslin and Steve Milner about a land use issue. Milner intends on increasing their parking area and extend it across Warner and Molalla. Their intention is to accommodate their growing business needs. Residents who attended were able to interact and ask questions. Both Chris and Steve were friendly and answered any questions that were presented, residents seemed satisfied with the presentation and had no additional concerns. This information is noted in a rough of "BHNA Minutes" which will be presented May 14, 2019 and voted for approval, once approved will be submitted for The City. Please let me know if I can help with any additional questions or concerns.

Sincerely,

Karla Laws

Karla Laws
BHNA Chair

BHNA General Meeting			
Tuesday, March 12, 2019			
Name	**Phone**	**Email**	**Other**
Karla Laws	503.956.0634	karla.laws@gmail.com	
Janice Morris			
Sharon Selvaggio	503-704-0327	sselvaggio@pesticide.org	
Dot Becht	503-654-2617		419 Pearl St. OC.
Steve Wright	503-557-5663	RdKiG-SMW@ComCast.net	
Betty Mumm			
Chris Gosla	541-579-0056	Chris.milnerstaff@gmail	
Steve Milner	503-657-6553	Steve.milner.pvm@gmail	
Brian Wummer	OCPD		
Sue Backenstos	503-894-2983	sbackenstos@yahoo.com	
Lisa Guarnero			
Sage Cerulean		Aquammarine1@aol.com	
Gary Avery			

Barclay Hill's neighborhood association meeting summary

On March 12, Steve Milner attended the BHNA general meeting and presented his plan to build a parking lot in what is now an undeveloped property. He explained that currently we have a lack of parking for clients and team members which has caused overflow onto Warner Street. A few questions were asked by citizens in regard to soil quality and transportation use. There were no objections or concerns.

Pre-Application Conference Notes

PA 18-44, December 19, 2018

Proposed Project:
New Parking Lot

Location:
140 Warner Street, Oregon City, OR 97045
Clackamas County Map 3-2E-05BC, Tax Lot 3600

General Information:

- Zoning: "MUC-1" Mixed Use Corridor
- No Overlay Districts
- Applications anticipated:
  - Site Plan and Design Review
  - Parking Adjustment

Timing and Process:
This application is a **Type II** decision process involving a site plan and design review application. Pursuant with OCMC Section 17.50.050, a pre-application conference is valid for a period of six months. The applicant has **180 days** from the date of submittal of a land use application to have a complete application.

Upon a complete application submittal, the applicant is entitled to a decision from the city of approval, approval with conditions, or denial within **120 days** by state law. Type II decisions are rendered by the Community Development Director, with appeal on the record to the City Commission, and then LUBA.

Type II decisions are based on the code approval criteria and require limited discretion by the Community Development staff for approval. Staff is not authorized to waive any requirements of the code except for modifications through Chapter 12.04.

If a Planning Commission Parking Adjustment application is requested, a **Type III** application process would be required. Type III decision require a minimum of one public hearing before the Planning Commission and 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.

Site Plan and Design Review:
Items to consider:

17.52.020 - Number of automobile spaces required.

A. The number of parking spaces shall comply with the minimum and maximum standards listed in Table 17.52.020. The parking requirements are based on spaces per one thousand square feet net leasable area unless otherwise stated.

Office/Medical or Dental Clinic	*2.70*	*3.33*

- The existing parking lot is developed with 21 stalls and an additional 15 stalls are proposed.

- A parking calculation was not included in the applicant's submittal, therefore, it is unclear if the total number of parking stalls is in compliance with the minimum/maximum parking required.
- The applicant must identify the square footage of the facility and include parking calculations for the entire building, and any additional buildings involved if a shared parking agreement is proposed. If the proposed number of stalls is over the maximum allowed or under the minimum required, a Planning Commission Adjustment of Parking Standards is required.
- All areas in a parking lot not used for parking, maneuvering, or circulation must be landscaped.
- No more than 8 parking stalls in a row are allowed without an interior landscaping strip.
- Pedestrian circulation system standards in OCMC Section 17.62.050.A.9.
- Connections to adjacent commercially zoned sites through the use of vehicular and pedestrian access easements are required.
- Parking Lot Landscaping
    - Parking lot landscaping is subject to OCMC 17.52.060
    - Please note all perimeter parking lot buffers must be at least 5 feet in width, unless an alternative parking lot landscaping plan is approved in accordance with OCMC 17.52.070.
    - A landscaping plan prepared by a landscape architect must be submitted
    - 10% of interior gross parking areas must be landscaped and 15% of the total lot (not including the interior parking lot landscaping) must be landscaped

Additional items to provide. The City could not review compliance with the items below:

- A tree removal, protection and mitigation plan prepared by a qualified professional is required pursuant with OCMC 17.41
- Identification of all loading areas
- Compliance with bicycle parking standards in OCMC Section 17.52.040.
- Outdoor lighting standards in OCMC Section 17.62.065.
    - Lighting level requirements for bicycle parking areas, abutting properties, and pedestrian walkways

Planning Commission Adjustment of Parking Standards:

- A Planning Commission adjustment of parking standards is required if the applicant is requesting more than the maximum number of permitted parking stalls. Please note, the code is based on adjustments for parking reductions. The inverse would be required for an increase in parking.
- Approval Criteria for Parking Adjustments
    - Documentation: The applicant shall document that the individual project will require an amount of parking that is different from that required after all applicable reductions have been taken.
        - The documentation should demonstrate that alternative measures, such as transportation demand management strategies that have been explored as an alternative to requesting additional parking (transit, carpooling, incentives for employees or customers to utilize alternative transportation modes). The applicant may contact Trimet for more information on their commuter benefit and/or transit pass program at RhodesDo@trimet.org.
    - Parking analysis for surrounding uses and on-street parking availability: The applicant must show that there is a continued fifteen percent parking vacancy in the area adjacent to the use during peak parking periods and that the applicant has permission to occupy this area to serve the use pursuant to the procedures set forth by the community development director.
        - For the purposes of demonstrating the availability of on street parking as defined in [Section] 17.52.020.B.3., the applicant shall undertake a parking study during time periods specified by the community development director. The time periods shall include those during which the highest parking demand is anticipated by the proposed use. Multiple observations during multiple days shall be required. Distances are to be calculated as traversed by a pedestrian that utilizes sidewalks and legal crosswalks or an alternative manner as accepted by the community development director.

        - Minimum of five days (weekends and weekdays)
        - Two hour increments during hours of operation
    - The onsite parking requirements may be reduced based on the parking vacancy identified in the parking study.
- Function and Use of Site: The applicant shall demonstrate that modifying the amount of required parking spaces will not significantly impact the use or function of the site and/or adjacent sites.
- Compatibility: The proposal is compatible with the character, scale and existing or planned uses of the surrounding neighborhood.
- Safety: The proposal does not significantly impact the safety of adjacent properties and rights-of-way.
- Services: The proposal will not create a significant impact to public services, including fire and emergency services.

Transportation Impacts:
The City's traffic engineering consultant has determined that transportation analysis is not required as part of this site plan and design review application.

The applicant's traffic engineer is welcome to contact the city's traffic engineering consultant, John Replinger, at Replinger-Associates@comcast.net or at 503-719-3383.

Tree Protection/Mitigation and Street Trees
Tree removal during the land development process is subject to compliance with tree protection and mitigation standards.

- Street trees are subject to OCMC Chapter 12.08
- A street tree plan demonstrating compliance with OCMC 12.08 is required
- The applicant's submittal should identify species and size of all existing trees onsite.
- Tree removal is subject to OCMC Chapter 17.41
- Tree protection standards can be found in OCMC Section 17.41.130
- A mitigation plan prepared by a qualified professional is required in accordance with OCMC Chapter 17.41.

Upcoming Code Changes
The City is proposing Housing and Development Code Amendments which may affect your proposal. The code amendments are anticipated to come into effect in 2019. The application is subject to compliance with the code that is in place on the date that the land use application is submitted. Depending on the date of submittal, the applicant may contact staff for an updated code criteria template.

For details and updates on the proposed code amendments, please visit the following site:
https://www.orcity.org/planning/housing-and-other-development-and-zoning-code-amendments

Other Notes:

- A Neighborhood Association meeting is required prior to a complete application. The site is in the Barclay Hills Neighborhood Association.
    Chair: Betty Mumm, bmummb@comcast.net
    Treasurer: Janice Morris, mad91058@msn.com
    CIC Representative: Janice Morris, mad91058@msn.com
    Upcoming Meetings: 2019 meeting dates TBD
    Meeting Location: St. John the Apostle Cemetery, 445 Warner Street, Oregon City
    Meeting Time: 7:00PM

- Please include the Citizen Involvement Committee Chair, Amy Willhite, in any Neighborhood Association meeting requests, notifications or correspondence. Amy can be reached at awillhit@yahoo.com.
- OCMC 17.50.055 requires submittal of the meeting sign-in sheet, a summary of issues discussed, and a letter from the neighborhood association indicating that a meeting was held.
- Your application was transmitted to the State Historic Preservation Office (SHPO) and affected tribes for review. Comments received have been provided.

Planning Review and Application Fees:
The 2019 Planning applications and fees include-

- Type III Parking Adjustment (if requested): $1,024
- Mailing Labels: $17 – or provided by applicant
- Site Plan and Design Review:

Construction Cost	Application Fee
Less than $500,000	$2,231 plus 0.007 x project cost
$500,000 to $3,000,000	$3,717 plus 0.005 x project cost
Over $3,000,000	$12,642 plus 0.003 x project cost
Maximum fee	$59,302

- 2019 Planning Fee Schedule
- Please note, Planning Division fees are set to increase on January 1, 2019

Applications, Checklists and Links

- Type II Review Process
- Type III Review Process
- Land Use Application
- Site Plan and Design Review Construction Cost Form
- Site Plan and Design Review Checklist
- Oregon City Adopted Tree List
- Oregon City Municipal Code

Planning Division
Diliana Vassileva, Assistant Planner with the Oregon City Planning Division reviewed your pre-application submittal for the Planning Division. Diliana may be reached at 503.974.5501 or dvassileva@orcity.org.

Development Services Division (Utilities/Public Improvements/SDC's etc):
Josh Wheeler, Development Projects Manager with the Oregon City Development Services Division reviewed your pre-application submittal for the Development Services Division. Josh may be reached at 503.496.1548 or jwheeler@orcity.org.

Building Division:
You may contact Mike Roberts, Building Official at 503.496.1517 or by email at mroberts@orcity.org.

Clackamas Fire District:
Questions can be directed to Mike Boumann, Lieutenant Deputy Fire Marshal of Clackamas Fire District #1. You may contact Mike Boumann at 503.742.2660 or mike.boumann@ClackamasFire.com.

Oregon City Municipal Code Criteria:
The following chapters of the Oregon City Municipal Code (OCMC) may be applicable to this proposal:
OCMC 12.04 - Streets, Sidewalks and Public Places
OCMC 12.08 - Public and Street Trees
OCMC 13.12 – Stormwater Management

OCMC 15.48 – Grading, Filling and Excavating
OCMC 17.29 – "MUC" Mixed Use Corridor District
OCMC 17.41- Tree Protection Standards
OCMC 17.47 – Erosion and Sediment Control
OCMC 17.50 – Administrative Processes
OCMC 17.52 – Off-Street Parking and Loading
OCMC 17.54.100 – Supplemental Zoning Regulations and Exceptions (Fences)
OCMC 17.62 – Site Plan and Design Review
A template for your submittal with the applicable criteria will be emailed by the City.

Pre-application conferences are required by Section 17.50.050 of the City Code, as follows:
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.

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

Oregon
Kate Brown, Governor

Parks and Recreation Department
State Historic Preservation Office
725 Summer St NE Ste C
Salem, OR 97301-1266
Phone (503) 986-0690
Fax (503) 986-0793
www.oregonheritage.org

March 13, 2019

Ms. Diliana Vassileva
City of Oregon City Planning
221 Molalla Ave
Ste 200
Oregon City, OR 97045

RE: SHPO Case No. 19-0258
City of Oregon City, PA 18-44, New Parking Lot (Tax Lot 3600)
New parking lot
3S 2E 5BC, Oregon City, Clackamas County

Dear Ms. Vassileva:

Our office recently received a request to review your application for the project referenced above. In checking our statewide archaeological database, it appears that there have been no previous surveys completed near the proposed project area. However, the project area lies within an area generally perceived to have a high probability for possessing archaeological sites and/or buried human remains. In the absence of sufficient knowledge to predict the location of cultural resources within the project area, extreme caution is recommended during project related ground disturbing activities. Under state law (ORS 358.905 and ORS 97.74) archaeological sites, objects and human remains are protected on both state public and private lands in Oregon. If archaeological objects or sites are discovered during construction, all activities should cease immediately until a professional archaeologist can evaluate the discovery. If you have not already done so, be sure to consult with all appropriate Indian tribes regarding your proposed project. If the project has a federal nexus (i.e., federal funding, permitting, or oversight) please coordinate with the appropriate lead federal agency representative regarding compliance with Section 106 of the National Historic Preservation Act (NHPA). If you have any questions about the above comments or would like additional information, please feel free to contact our office at your convenience. In order to help us track your project accurately, please reference the SHPO case number above in all correspondence.

Sincerely,

Dennis Griffin, Ph.D., RPA
State Archaeologist
(503) 986-0674
dennis.griffin@oregon.gov

WFG National Title Insurance Company
a Williston Financial Group company

9200 SE Sunnybrook Blvd., Suite 350
Clackamas, OR 97015
Phone (503) 353-9975 Fax (503) 850-4030

WFG National Title Insurance Company
Sheila Schwartz
9200 SE Sunnybrook Blvd., Suite 350
Clackamas, OR 97015

Date Prepared: July 19, 2018

PRELIMINARY TITLE REPORT

Order Number: **18-198092**
Escrow Officer: Sheila Schwartz
Phone: (503) 785-2872
Fax: (503) 213-7723
Email: sschwartz@wfgnationaltitle.com

Examined & Approved

Seller(s): **Estate of Verl Weldon**
Buyer(s): **Steve Milner**

Property: **0 Warner Street, Oregon City, OR 97045**

WFG National Title Insurance Company, is prepared to issue a title insurance policy, as of the effective date and in the form and amount shown on Schedule A, subject to the conditions, stipulations and exclusions from coverage appearing in the policy form and subject to the exceptions shown on Schedule B. This Report (and any Amendments) is preliminary to and issued solely for the purpose of facilitating the issuance of a policy of title insurance at the time the real estate transaction in question is closed and no liability is assumed in the Report. The Report shall become null and void unless a policy is issued and the full premium paid.

This report is for the exclusive use of the person to whom it is addressed. Title insurance is conditioned on recordation of satisfactory instruments that establish the interests of the parties to be insured; until such recordation, the Company may cancel or revise this report for any reason.

SCHEDULE A

1. The effective date of this preliminary title report is **8:00 A.M.** on **16th day of July, 2018**
2. The policies and endorsements to be insured and the related charges are:

Policy/Endorsement Description	Liability		Charge
ALTA 2006 Owners Policy	**$170,000.00**		**$625.00**
Basic Owner's Rate		$625.00	

Proposed Insured: **Steve Milner**

Government Service Fee: **$30.00**

This is a preliminary billing only, a consolidated statement of charges, credits and advances, if any, in connection with this order will be provided at closing.

3. Title to the land described herein is vested in:

   The heirs and devisees of Arthur N. Weldon, deceased

4. The estate or interest in land is:

   Fee Simple

5. The land referred to in this report is descried as follows:

   SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"
LEGAL DESCRIPTION

Part of the William Holmes Donation Land Claim No. 38 in Section 5, Township 3 South, Range 2 East of the Willamette Meridian, in the City of Oregon City, County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the intersection of the Southerly line of Warner Street with Molalla Avenue, thence South 27.5° East, along Molalla Avenue, 1.37 chains; thence South 62.50° West 62 feet to the true point of beginning; thence continuing South 62.5° West a distance of 207 feet; thence North 27.5° West a distance of 1.37 chains to the South line of Warner Street; thence North 62.5° East, tracing the Southerly line of Warner Street, a distance of 207 feet; thence South 27.5° East a distance of 1.37 chains to the true point of beginning.

EXCEPTING that portion conveyed to Arthur N. Weldon, Trustee in Deed Recorded July 2, 1991, as Recording No. 91-32138, more particularly described as follows:

Part of the William Holmes Donation Land Claim No. 38, in Section 5, Township 3 South, Range 2 East of the Willamette Meridian, in the City of Oregon City, County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the Southerly right of way line of Warner Street South 62 1/2° West 169 feet from the intersection of said Southerly right of way line of Warner Street with the Westerly right of way line of Molalla Avenue; thence South 27 1/2° East 90.42 feet; thence South 62 1/2° West 100 feet; thence North 27 1/2° West 90.42 feet to the Southerly right of way line of Warner Street; thence North 62 1/2° East 100 feet to the point of beginning.

SCHEDULE B

GENERAL EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.

3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.

5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS

6. Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.

7. Easement, including the terms and provisions thereof:

For	:	Septic tank and drain field
Granted to	:	Adjacent property owners
Recorded	:	September 2, 1960
Recording No(s)	:	(book) 576 (page) 458

8. 2018-2019 taxes, a lien not yet due and payable.

9. City liens, if any, of the City of Oregon City. We find none as of July 16, 2018.

10. Due probate and administration of the Estate of decedent:

    NOTE: We find no record of Probate Proceedings in this County for said decedent. A Small Estate Affidavit of Claiming Successor has been filed however ANY USE OF SUCH SMALL ESTATE AFFIDAVIT IN LIEU OF A FULL PROBATE IS SUBJECT TO (I) WFG UNDERWRITING APPROVAL, IN WFG'S SOLE DISCRETION, (II) RECEIPT OF ALL SUPPORTING DOCUMENTATION REQUESTED BY WFG, INCLUDING, WITHOUT LIMITATION, COPIES OF ANY APPLICABLE DEATH CERTIFICATES AND WILLS, AND (III) RECEIPT BY WFG OF AN ACCEPTABLE INDEMNITY AGREEMENT.

Decedent	:	Arthur N. Weldon
Filed	:	May 21, 1992
Small Estate Case No.	:	SE1988, Clackamas County
Successor/Affiant	:	Verl Weldon and Vern Weldon

11. Due probate and administration of the Estate of Verl Weldon (heir of Arthur Weldon) deceased, which proceedings are pending in the Circuit Court for Clackamas County, Oregon:

Filed	:	August 9, 2017
Probate No.	:	17PB06245
Attorney for Estate	:	Mark F. Adams
Personal Representative	:	Vern Weldon

12. Parties in possession, or claiming to be in possession, other than the vestees shown herein. For the purposes of ALTA Extended coverage, we will require an Affidavit of Possession be completed and returned to us. Exception may be taken to such matters as may be shown thereby.

13. Statutory liens for labor or materials, including liens for contributions due to the State of Oregon for unemployment compensation and for workmen's compensation, which have now gained or hereafter may gain priority over the lien of the insured mortgage where no notice of such liens appear of record.

14. Any unrecorded leases or rights of tenants in possession.

END OF EXCEPTIONS

NOTE: Taxes paid in full for 2017 -2018

Levied Amount	:	$837.42
Property ID No.	:	00845848
Levy Code	:	062-002
Map Tax Lot No.	:	32E05BC 03600

NOTE: In no event shall WFG National Title Insurance Company have any liability for the tax assessor's imposition of any additional assessments for omitted taxes unless such taxes have been added to the tax roll and constitute liens on the property as of the date of closing. Otherwise, such omitted taxes shall be the sole, joint and several responsibility of seller(s) and buyer(s), as they may determine between themselves.

NOTE: The following is incorporated herein for information purposes only and is not part of the exception from coverage (Schedule B-II of the prelim and Schedule B of the policy):The following instrument(s), affecting said property, is (are) the last instrument(s) conveying subject property filed for record within 24 months of the effective date of this preliminary title report: None of Record

NOTE: The following judgment appears of record against Vern Weldon (heir of Arthur Weldon), and will become a lien against the premises unless eliminated prior to said the closing of this transaction.

NOTE: Judgment in the State Circuit Court:

Debtor	:	Vern Weldon
Creditor	:	Dan Webbers
Case No.	:	17LT16328
Entered	:	November 14, 2017
Amount	:	$635.00 plus interest, if any

NOTE: The following judgment appears of record against Steve Milner, prospective purchaser herein, and will become a lien against the premises unless eliminated prior to the closing of this transaction.

NOTE: Judgment in the State Circuit Court:

Debtor	:	Steve Milner
Creditor	:	Crisse Milner
Case No.	:	DR03080341
Entered	:	December 22, 2004
Amount	:	$1,083.00, per month child support; $1,000. 00 per month spousal support and $60,000.00 monetary award plus interest, if any. A partial saitsfaction of the above judgment was filed December 14, 2006, a copy of which has been requested and will be provided upon receipt.

NOTE: Judgment in the State Circuit Court:

Debtor	:	Steven Neil Milner
Creditor	:	Susan Renee Milner
Case No.	:	17DR15517
Entered	:	May 1, 2018
Amount	:	$350,000.00 plus interest, if any. A partial satisfaction was filed May 21, 2018 indicating amounts paid and reflecting a remaining balance $195,000.00

NOTE: The following applicable recording fees will be charged by the county:

Multnomah County-First Page	$82.00
Washington County-First Page	$81.00
Clackamas County-First Page	$93.00
Each Additional Page	$ 5.00
Non-standard Document Fee	$20.00
E-recording Fee	$ 3.00

NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS

Fiscal Year:	July 1st through June 30th
Taxes become a lien on real property, but are not yet payable.	July 1st
Taxes become certified and payable (approximately on this date)	October 15th
First one third payment of taxes are due	November 15th
Second one third payment of taxes are due	February 15th
Final payment of taxes are due	May 15th

Discounts: If two thirds are paid by November 15th, a 2% discount will apply.

If the full amount of the taxes are paid by November 15th, a 3% discount will apply.

Interest: Interest accrues as of the 15th of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.

NOTE: THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THESE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, CONTACT THE ESCROW AGENT.

End of Report

Your Escrow Officer
Sheila Schwartz
WFG National Title Insurance Company
9200 SE Sunnybrook Blvd., Suite 350
Clackamas, OR 97015
Phone: **(503) 785-2872**
Fax: **(503) 213-7723**
Email: **Teamsheila@wfgnationaltitle.com**

Your Title Officer
Jiffy Dinger-Gardner
WFG National Title Insurance Company
12909 SW 68th Pkwy., Suite 350
Portland, OR 97223
Phone: **(503) 431-8515**
Fax:
Email: **JGardner@wfgnationaltitle.com**

WFG National Title Insurance Company
a Williston Financial Group company

WFG National Title Insurance Company is prepared to issue, as of the date specified in the attached Preliminary Title Report (the Report), a policy or policies of title insurance as listed in the Report and describing the land and the estate or interest set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as a General or Specific Exception or not excluded from coverage pursuant to the printed Exclusions and Conditions of the policy form(s).

The printed General Exceptions and Exclusions from the coverage of the policy or policies are listed in Exhibit One to the Report. In addition, the forms of the policy or policies to be issued may contain certain contract clauses, including an arbitration clause, which could affect the party's rights. Copies of the policy forms should be read. They are available from the office which issued the Report.

The Report (and any amendments) is preliminary to and issued solely for the purpose of facilitating the issuance of a policy of title insurance at the time the real estate transaction in question is closed and no liability is assumed in the Report.

The policy(s) of title insurance to be issued will be policy(s) of WFG National Title Insurance Company.

Please read the Specific Exceptions shown in the Report and the General Exceptions and Exclusions listed in Exhibit One carefully. The list of Specific and General Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy to be issued and should be read and carefully considered.

It is important to note that the Report is not an abstract of title, a written representation as to the complete condition of the title of the property in question, and may not list all liens, defects and encumbrances affecting title to the land.

The Report is for the exclusive use of the parties to this transaction, and the Company does not have any liability to any third parties or any liability under the terms of the policy(s) to be issued until the full premium is paid. Until all necessary documents are recorded in the public record, the Company reserves the right to amend the Report.

Countersigned

CSucker

Exhibit One
2006 American Land Title Association Loan Policy 6-17-06
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

THE ABOVE POLICY FORM MAY BE ISSUED TO AFFORD EITHER Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY 6-17-06
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10; or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
   (a) a fraudulent conveyance or fraudulent transfer; or
   (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.

Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

WFG National Title Insurance Company
a Williston Financial Group company

ABOUT YOUR PRIVACY

At WFG, we believe it is important to protect the privacy and confidences of our customers. This notice is intended to explain how we collect, use, and protect any information that we may collect. It will explain the choices you may make about the use of that information.

What Information Do We Collect About You?

We collect certain types of information about you. This may consist of:

- Your name, address, and telephone number.
- Your email address.
- Your social security or government ID numbers.
- Your financial information.

We collect this information from:

- The application or other forms you fill out with us.
- The correspondence you and others direct to us.
- Our transactions with you.
- Others involved in your transaction, including the real estate agent or lender.

In some cases, we collect information from third parties. For instance, we may receive real estate information from local assessor's offices.

How Do We Use This Information?

We use the information we collect to respond to your requests. **WE DO NOT SHARE** your information with other companies.

How Can You "Opt Out?"

We do not share your information so there is no need to opt out.

The information We Collect About You On Our Website

When you enter our website, we automatically collect and store certain information. This consists of:

- Your IP Address
- (Internet Protocol Address) and domain name.
- The type of browser and operating system you use.
- The time of your visit.
- The pages of our site you visit.

If you register with us or fill out an on online survey, we will collect additional personal information, such as your name, telephone number, email address and mailing address.

Cookie Usage

In order to provide you with customized service, we make use of "cookies." Cookies are essentially files that help us identify your computer and respond to it. You may disable cookies on your own computer, but you may not be able to download online documents unless cookies are enabled.

How We Use Information

The information we collect concerning:

- Your browser
- The time and date of your visit
- The web pages or services you accessed

is used for administrative and technical purposes. For instance, we may use it to count the number of visitors to our site and determine the most popular pages. We may also use it to review types of technology you are using, determine which link brought you here, assess how our advertisements on other sites are working, and to help with maintenance.

We use information contained in your emails only for the purpose of responding to those emails. If we ask you to fill out any forms or surveys, we will use the information we receive only for the specific purposes indicated in those forms or surveys.

Your Right to See and Correct Information

If you wish to see the information collected about you, please contact your settlement agent.

Children's Policy

We do not knowingly collect information from children under the age of 18. We delete any information that we discover has been provided by children.

Security

--Generally

We make every effort to protect the integrity of your information. Any personal information you enter into online forms or surveys will be encrypted to ensure it remains private. We limit the right of access to your information to employees that need to use the information to respond to or process your request or transaction. We also take industry standard (IPSEC) measures to protect our sites from malicious intrusions or hacking.

--Phishing and Pretexting

As you know, consumers are increasingly targeted by unscrupulous persons attempting to acquire sensitive personal or financial information, by impersonating legitimate businesses. We will never send you an unsolicited email or other communication requesting your private information. If you receive a communication directing you to enter your personal information, please disregard the instruction and contact us immediately at Compliance@wfgnationaltitle.com.

Oregon Residents

We may not disclose personal or privileged information about you unless we provide you with a disclosure authorization form that is executed by you or your representative and otherwise complies with certain statutory requirements. Any such authorization is not valid for more than 24 months and may be revoked by you at any time, subject to the rights of anyone who relied on the authorization prior to your notice of revocation.

In addition, if your personal or privileged information was collected or received by us in connection with a title insurance transaction, we cannot disclose such information if the disclosure authorization form that you executed is more than one year old or if the requested disclosure is for a purpose other than a purpose expressly permitted by statute.

You have the right at any time to request in writing access to recorded personal information about you that is reasonably described by you and reasonably available to us. Within 30 days of the date of our receipt of any such written request from you, we will inform you of the nature and substance of any such information, permit you to see and copy that information or obtain a copy by mail, disclose the identity, if recorded, of the persons to whom we have disclosed such information during the previous two years, and provide you with a summary of the procedures by which you may request that such information be corrected, amended or deleted.

Do Not Track

Because there is not an industry-standard process or defined criteria to permit a user to opt out of tracking their internet access (Do Not Track or DNT), we do not currently respond to the various DNT signals.

How to Contact Us

If you have any questions about our privacy policy, please contact WFG:

- By email: Compliance@wfgnationaltitle.com
- By telephone: 800-385-1590
- By fax: 503-974-9596
- By mail: 12909 SW 68th Pkwy, Suite 350, Portland, OR 97223
- In person: 12909 SW 68th Pkwy, Suite 350, Portland, OR 97223

WFG FAMILY

WILLISTON FINANCIAL GROUP LLC
WFG NATIONAL TITLE INSURANCE COMPANY
WFG LENDER SERVICES, LLC
WFGLS TITLE AGENCY OF UTAH, LLC
WFG NATIONAL TITLE COMPANY OF WASHINGTON, LLC
WFG NATIONAL TITLE COMPANY OF CALIFORNIA
WFG NATIONAL TITLE COMPANY OF TEXAS, LLC D/B/A WFG NATIONAL TITLE COMPANY
UNIVERSAL TITLE PARTNERS, LLC
VALUTRUST SOLUTIONS, LLC
WILLISTON ENTERPRISE SOLUTIONS & TECHNOLOGY, LLC
WFG NATIONAL TITLE COMPANY OF CLARK COUNTY, WA, LLC D/B/A WFG NATIONAL TITLE
INLAND PROFESSIONAL TITLE LLC D/B/A WFG NATIONAL TITLE COMPANY OF EASTERN WA
WFG NATIONAL TITLE COMPANY OF COLORADO

Williston Financial Group

OREGON CITY

Community Development – Planning

698 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

LAND USE APPLICATION TRANSMITTAL

Date: 9/17/2019

DISTRIBUTION OF APPLICATION			
✔	Building Official	✔	Clackamas County Transportation
✔	Development Services	✔	Clackamas County Planning
✔	Public Works Operations	✔	Clackamas Fire District #1
✔	City Engineer	☐	ODOT – Division Review
✔	Public Works Director	✔	Oregon City School District
✔	Parks Manager	☐	Tri-Met
✔	Community Services Director	☐	Metro
✔	Police	☐	PGE
✔	Economic Development Manager	✔	South Fork Water Board
✔	Traffic Engineer	✔	Hamlet of Beavercreek
☐	City Manager's Office	✔	Holcomb Outlook CPO
☐	Oregon City Neighborhood Associations	✔	Central Point / Leland Road / New Era CPO
✔	N.A Chair Barclay Hills	☐	Other – See Email List
✔	N.A. Land Use Chair	✔	Natural Resource Committee
✔	Notice of the application mailed to all properties within 300 feet	☐	Other:

COMMENTS DUE BY:	October 4, 2019 to be included in the staff report		
DECISION BODY:	Type III Planning Commission		
HEARING DATE(s):	October 14, 2019		
DECISION TYPE:	Type III		
FILE #S:	GLUA-19-17 / SP-19-00053/ PARK-19-00002		
PLANNER:	Diliana Vassileva	Phone (503) 974-5501	Email dvassileva@orcity.org
APPLICANT:	Steve Milner		
OWNER:	Steve Milner		
REPRESENTATIVE:			
REQUEST:	Site Plan and Design Review and Planning Commission Parking Adjustment for new parking l		
ROJECT WEBPAGE:	https://www.orcity.org/planning/project/park-19-00002sp-19-00053		
ZONING:	MUC-1 Mixed Use Corridor		
ADDRESS(ES):	1034 Molalla Avenue, Oregon City, OR 97045, and vacant property across Warner Street		
TAX LOTS:	Map 3-2E-05BC, Tax Lots 2300 and 3600		

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 will 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.

Signature Michael G. Roberts Digitally signed by Michael G. Roberts DN: C=US, E=mroberts@orcity.org, CN=Michael G. Roberts Date: 2019.09.19 06:16:30-07'00'

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION

OREGON CITY

Community Development – Planning

698 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

LAND USE APPLICATION TRANSMITTAL

Date: 9/17/2019

DISTRIBUTION OF APPLICATION			
✔	Building Official	✔	Clackamas County Transportation
✔	Development Services	✔	Clackamas County Planning
✔	Public Works Operations	✔	Clackamas Fire District #1
✔	City Engineer	☐	ODOT – Division Review
✔	Public Works Director	✔	Oregon City School District
✔	Parks Manager	☐	Tri-Met
✔	Community Services Director	☐	Metro
✔	Police	☐	PGE
✔	Economic Development Manager	✔	South Fork Water Board
✔	Traffic Engineer	✔	Hamlet of Beavercreek
☐	City Manager's Office	✔	Holcomb Outlook CPO
☐	Oregon City Neighborhood Associations	✔	Central Point / Leland Road / New Era CPO
✔	N.A Chair Barclay Hills	☐	Other – See Email List
✔	N.A. Land Use Chair	✔	Natural Resource Committee
✔	Notice of the application mailed to all properties within 300 feet	☐	Other:

COMMENTS DUE BY:	October 4, 2019 to be included in the staff report		
DECISION BODY:	Type III Planning Commission		
HEARING DATE(s):	October 14, 2019		
DECISION TYPE:	Type III		
FILE #S:	GLUA-19-17 / SP-19-00053/ PARK-19-00002		
PLANNER:	Diliana Vassileva	Phone (503) 974-5501	Email dvassileva@orcity.org
APPLICANT:	Steve Milner		
OWNER:	Steve Milner		
REPRESENTATIVE:			
REQUEST:	Site Plan and Design Review and Planning Commission Parking Adjustment for new parking l		
ROJECT WEBPAGE:	https://www.orcity.org/planning/project/park-19-00002sp-19-00053		
ZONING:	MUC-1 Mixed Use Corridor		
ADDRESS(ES):	1034 Molalla Avenue, Oregon City, OR 97045, and vacant property across Warner Street		
TAX LOTS:	Map 3-2E-05BC, Tax Lots 2300 and 3600		

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 will 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.

Signature Wes Rogers Digitally signed by Wes Rogers DN: cn=Wes Rogers, o=OCSD62, ou=Bond Manager, email=wes.rogers@ocsd62.org, c=US Date: 2019.09.17 13:58:44 -07'00'

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION

From: Gish, Jonathan
To: Diliana Vassileva
Subject: RE: Land Use Application GLUA-19-00017/SP-19-00053/PARK-19-00002
Date: Thursday, September 19, 2019 6:57:51 AM

Clackamas County has no frontage, Engineering has no comments

Jonny Gish |Engineering Tech 4
Clackamas County Department of Transportation and Development
150 Beavercreek Rd
Oregon City, OR 97045
Office Hours: M-TH 6am-4:30pm
Direct: 503-742-4707 | Jgish@clackamas.us

From: Diliana Vassileva [mailto:dvassileva@orcity.org]
Sent: Tuesday, September 17, 2019 1:47 PM
Subject: Land Use Application GLUA-19-00017/SP-19-00053/PARK-19-00002

Good afternoon,

The Planning Division has received a Site Plan and Design Review application and Planning Commission Parking Adjustment application for a new parking lot. Please review the proposed development posted here and provide your comments by October 4, 2019.

COMMENTS DUE BY: October 4, 2019
HEARING DATE: October 14, 2019
HEARING BODY: __ Staff Review; _x_ PC; ___ HRB; ___ CC
FILE # & TYPE: GLUA-19-00017 (General Land Use Application), SP-19-00053 (Site Plan and Design Review), PARK-19-00002 (Parking Adjustment)
PLANNER: Diliana Vassileva, Assistant Planner, 503-974-5501
APPLICANT: Steve Milner
OWNERS: Steve Milner
REQUEST: The applicant is seeking approval of Site Plan and Design Review application and Planning Commission Parking Adjustment application for a new parking lot.
LOCATION: 1034 Molalla Avenue, Oregon City, OR 97045 and Vacant Property across Warner Street from 1034 Molalla Ave, abutting 140 Warner St, Oregon City, OR 97045
Clackamas County Map 3-2E-05BC, Tax Lots 2300 and 3600

Thank you.

Diliana Vassileva
Assistant Planner
Planning Division
City of Oregon City
PO Box 3040
698 Warner Parrott Road,
Oregon City, Oregon 97045
Direct - 503.974.5501
Planning Division - 503.722.3789
Fax 503.722.3880

Website: www.orcity.org | webmaps.orcity.org | Follow us on: Facebook!|Twitter
Think **GREEN** before you print.

Please visit us at 698 Warner Parrott Road, Oregon City between the hours of 8:30am-3:30pm Monday through Friday.
PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

Milner Veterinary Hospital

SQ Ft: 4,000

Parking spaces: 20

Planning commission adjustment of parking standards

Documentation: Currently, we do not have enough parking spaces to accommodate our clients and team members. Our short term plans include an expansion of our current facility into our existing parking lot, which will cause us to lose 8 parking spaces that currently exist, this would compound our problem.

In an effort to reduce the total number of parking spots we need, we have spoken to our staff in meetings and requested that if they are able they take public transportation it would be helpful in reducing the number of spaces needed. Unfortunately, many of our team members do not live in close proximity, so this is not a feasible option. Additionally, being a veterinary hospital, our clients are not able to take public transportation for their visits because they are transporting animals.

Current code allows us to have 10-13 spaces, as the parking study demonstrates this is insufficient for our business. We currently have 20 spaces and anticipate losing 8 when we expand the building. With the proposed new parking lot (19 spaces) we are asking for a net increase of 11 spaces, giving us a grand total of 31 spaces. This will help us accommodate our clients as our business continues to grow.

Parking analysis for surrounding uses and on-street parking availability: We currently encourage all of our team members to use street parking in order to allow more parking lot availability to our clients. There is a dental office across street from us that also encourages their team members to use street parking because they only have 5 parking spots to accommodate their patients. Because both businesses are using street parking for employees, we have congested Warner Street with parked cars.

Parking lot study: This study demonstrates we are consistently unable to accommodate our clients and employees with the current allotment of parking spaces.

Date	Time	Clients	Staff in lot	Staff on street	Total
1/16/19	1:50pm	8	6	8	24
1/25/19	2:30pm	9	7	7	23
2/1/19	3:00pm	9	10	3	22
2/15/19	2:00pm	9	9	5	23
2/19/19	1:30pm	9	9	3	21
2/22/19	2:45pm	13	6	7	26
3/8/19	11:00am	15	6	5	26
4/2/19	4:00pm	10	9	6	24

Date	Time	Clients	Staff in lot	Staff on street	Total
4/5/19	9:30am	8	8	5	21
4/5/19	11:30am	7	8	5	20
4/5/19	1:45pm	11	7	5	23
4/5/19	3:30pm	13	8	5	26
4/5/19	5pm	10	8	5	23

Date	Time	Clients	Staff in lot	Staff on street	Total
4/6/19	9:30am	10	8	2	20
4/6/19	11:30am	12	8	2	22
4/6/19	1:30pm	11	8	2	21
4/6/19	3:30pm	13	8	2	23

Date	Time	Clients	Staff in lot	Staff on street	Total
4/8/19	9am	5	8	5	18
4/8/19	11am	10	9	5	24
4/8/19	1:30p	10	8	6	24
4/8/19	3:30p	18	8	6	32
4/8/19	5pm	11	8	6	25

Date	Time	Clients	Staff in lot	Staff on street	Total
4/9/19	10am	8	9	9	24
4/9/19	11:30am	9	9	9	27
4/9/19	1:00pm	8	7	7	22
4/9/19	3:00pm	11	6	9	26
4/9/19	4:30pm	13	6	9	27

Date	Time	Clients	Staff in lot	Staff on street	Total
4/19/19	9:30am	4	9	3	16
4/19/19	11:30am	9	9	3	21
4/19/19	1:30pm	11	8	4	23
4/19/19	3:00pm	10	8	4	22
4/19/19	5:00pm	9	8	4	21

Function and use of site: The development of our parking lot will not significantly impact the use or function of our site or any adjacent sites. It will reduce congestion on Warner Street which may be problematic when turning on to Warner from Molalla.

Compatibility: This proposal will be an overall enhancement to the neighborhood, by decreasing street congestions and developing a previously vacant lot. This proposal is also compatible with our short term business goals of expanding our Veterinary hospital in order to accommodate the growing client base that we support.

Safety: The proposal may increase motor vehicle safety by decreasing the amount of vehicles parked on the street.

Services: The proposal will have no impact on fire or emergency services.

Neighborhood meeting notes and documentation: Steve Milner presented our proposal to the Barclay Hills Neighborhood Association on Tuesday March 12. Steve discussed the possibility of using public transportation for client and employees as well as landscaping issues. Additionally, he was able to elaborate on a few of the specific aspects of this project as it relates to rainwater. We have attached the meeting sign in sheet for review.

On-street parking availability analysis of veterinary clinic frontage street parking including parking utilized by vehicles not associated with Milner Veterinary Clinic

Parking Milner Veterinary Hospital

Date	Time	Clinic Parking Lot	ADA Space	Street	Proposed Lot		
16-Oct	11:05	18	0	10	4		32
23-Oct	1:15	21	0	5	2		28
23-Oct	2:15	21	0	7	1		29
26-Oct	1:45	22	1	5	2	Dentist office closed	30
28-Oct	10:12	20	0	5	10		35
28-Oct	10:12	22	1	6	10		39
28-Oct	11:35	20	1	5	12		38
28-Oct	12:15	22	1	6	10		39
28-Oct	2:30	18	0	4	7		29
28-Oct	3:05	20	0	4	6		30
28-Oct	4:20	19	1	5	6		31
29-Oct	8:35	15	0	6	6		27
29-Oct	4:30	19	0	8	5		32
30-Oct	8:45	18	0	7	3		28
Average		19.64	0.36	5.93	6.00		
Legal Spaces		19	1	10	0		
Average Total		31.93					
Percentage		106%					

October 23, 2019

Oregon City Planning Commission

For the past 15 years I have lived at 1033 A, Bullard St around the corner from Milner Veterinary Hospital. This neighborhood is quite and slow paced. My favorite pastime is walking my dog. I cannot guess how many miles we put on the streets of my neighborhood each year. For the past year and a half I don't walk near the veterinary hospital. There are cars everywhere and it is not safe.

Please allow the vet hospital build a parking lot to fix this.

Sincerely,

Gary Dooyen

October 21, 2019

Lisa Guarnero

1124 Hughes St

Oregon City Oregon

To Whom it may concern:

I have lived in the neighborhood around Milner Veterinary Hospital for the past 20 years. In the past few years parking at the vet clinic has spilled out onto the street. This can make turning onto Warner street difficult and, since there are not sidewalks in the area, make walking your dog dangerous. I would appreciate it if you allowed them to resolve this problem by building a parking lot.

Sincerely,

Lisa Guarnero

Oregon City Planning Commission

My family lives at 302 Warner St. across the street from Milner Veterinary Hospital. My children ride the school bus and are dropped off each day in front of the clinic. For the past two years Milner Vet has been using the street as parking for its employees and clients. This causes severe congestion in the street making it unsafe for my children. There are not sidewalks in the area.

I understand Dr Milner is asking for permission to build a parking lot and a side walk to fix this problem. I am ask that you give permission for him to do so.

Sincerely,

Rachel Williams

RACHEL WILLIAMS
(503) 539-1922

Trails End Dental
Douglas Retzlaff, DMD
Prevent • Restore • Maintain

1104 Molalla Avenue
Oregon City OR 97045
Phone (503) 656-7131 | Fax (503) 656-6382
trailsenddental.com | info@trailsenddental.com

Oregon Community Development – Planning
698 Warner Parrott Rd
Oregon City, OR 97045

October 22, 2019

Re: GLUA-19-00017, SP-19-00053, PARK-19-00002

To Whom It May Concern,
I am the owner of Trails End Dental in Oregon City located across Warner Street from the Milner Veterinary Hospital. My property adjoins a lot that is currently vacant. This lot has been an eye sore and worse for many years. It has been the subject of several criminal complaints and many code violations. Our patients have been forced to use on-street parking as I am only allowed five spaces for my building size. Over the past two years the veterinary hospital has been forced to use on-street parking as well.

Two months ago one of our patients was hit by a car while crossing Warner Street due to the many cars parked on the street and the confusion that creates.

We are running out of room for our patients and employees to park.

Dr. Milner has applied for a permit to build a parking lot on the site of the former drug house. This would benefit both of our businesses as well as the neighborhood. It is my hope that you will grant a permit for this project.

Respectfully,

Doug Retzlaff, DMD, PC

NAME	ADDRESS	DATE
Deborra Crawford	581 Holmes Ln. Apt 23 Oregon City, OR 97045	10/30/19
Chris Delany	19055 Leland Rd Oregon City OR 97045	
Anthony Moore	18816 S Ridge Rd Oregon City 97045	10/30/19
Christine Reddle	18094 S. Bo James Ct Oregon City 97045	10-30-19
Lori Mickels	12041 Hazel Park Dr. Oregon City 97045	10-30
Steve Mickels	12041 Hazel Park Dr. O.C. OR 97045	10/30/19
Matthew & Shirlene Warnock	19131 Lot Whitcomb 97045	10/30/19
Sara Dover	14460 SE Thalma, Milwaukie, OR 97267	10/30/19
Rachelle Arnold	104 Telford Rd OC OR 97045	10/30/19
Brian Arnold	104 Telford Rd O.C OR 97045	10-30-19

Steve Milner, DVM
Angela Turra, DVM
Alex Berthrong, DVM
Megan Glasere, DVM

Milner VETERINARY HOSPITAL
1034 Molalla Ave
Oregon City, OR 97045
503.657.6553
503.722.8628 fax
www.milnervet.com

Hannah Mauck, DVM
Christa Finley, DVM
Kirk Moore, DVM

We are residents of Oregon City and clients of the Milner Veterinary Hospital. We are asking that the Oregon City Planning Commission allow the Milner Veterinary Hospital build a parking lot next to their facility.

Name	Address	Date
Terra Sharpes	18627 S Elna Rd O.C OR 97045	10-23-19
Carly Sandblast	14760 S. clackamas rv drive, OC, OR, 97045	10/23/19
Rachel Gabby	14061 Jacobs Way Oregon City, OR 97045	10/23/19
Houston Gabby	14061 Jacobs Way Oregon City, OR 97045	10/23/19
Haley Inman	12210 Mimosa Way OC, OR 97045	10/23/19
Bethany Bartel	18598 S. Lyons Rd 97045	10-23-19
Lynn Gonzales	19500 Silverfox Pkwy 97045	10-30-19
Michael Cauchole	14569 Walnut Grove Way Oregon City Or 97045	10-30-19
Cindy Anderson	11758 Hazelnut Ave, Oregon City, OR	541-231-3185
Corey Oelklaus	16919 S. Beckman Rd Oregon City OR	10/30/19
Traci Rohde	16919 S. Beckman Rd	10/30/19

Date of Report: 10-07-19
For: 08-14-19 - 08-14-19

Milner Veterinary Hospital
PERIOD TOTALS

(Consolidated)

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	27	[redacted]	5%
Check Payments	[redacted]	3	[redacted]	7%
Mastercard Payments	[redacted]	8	[redacted]	17%
Visa Card Payments	[redacted]	71	[redacted]	59%
American Express Payments	[redacted]	4	[redacted]	12%
User-defined Payments	[redacted]	1	[redacted]	1%
Total Payments	[redacted]	114	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	20	[redacted]	14%
Alex Berthrong, DVM	[redacted]	23	[redacted]	45%
Kirk Moore, DVM	[redacted]	13	[redacted]	15%
Christa Finley, DVM	[redacted]	12	[redacted]	19%
OTC	[redacted]	16	[redacted]	3%
Dog Wash	[redacted]	35	[redacted]	4%
Total Invoices	[redacted]	105	[redacted]	100%
Wellness Plans Only Invoices		8		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	2	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		4		
Patient visits		125		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	21	[redacted]	12%
Check Payments	[redacted]	2	[redacted]	2%
Mastercard Payments	[redacted]	11	[redacted]	26%
Visa Card Payments	[redacted]	86	[redacted]	50%
Discover Card Payments	[redacted]	3	[redacted]	2%
American Express Payments	[redacted]	2	[redacted]	1%
User-defined Payments	[redacted]	4	[redacted]	7%
Total Payments	[redacted]	129	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	33	[redacted]	31%
Alex Berthrong, DVM	[redacted]	16	[redacted]	37%
Angela Turra, DVM	[redacted]	1	[redacted]	0%
Hannah Mauck, DVM	[redacted]	1	[redacted]	0%
Kirk Moore, DVM	[redacted]	13	[redacted]	12%
Christa Finley, DVM	[redacted]	2	[redacted]	0%
Megan Glasere, DVM	[redacted]	11	[redacted]	11%
OTC	[redacted]	10	[redacted]	3%
Dog Wash	[redacted]	37	[redacted]	4%
Kaylea Herbaugh	[redacted]	2	[redacted]	0%
Wellness Plan	[redacted]	1	[redacted]	0%
Total Invoices	[redacted] *	123	[redacted]	100%
Wellness Plans Only Invoices		3		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	2	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		8		
Patient visits		134		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	22	[redacted]	2%
Check Payments	[redacted]	0	[redacted]	
Mastercard Payments	[redacted]	10	[redacted]	10%
Visa Card Payments	[redacted]	103	[redacted]	86%
Discover Card Payments	[redacted]	1	[redacted]	1%
American Express Payments	[redacted]	2	[redacted]	0%
User-defined Payments	[redacted]	1	[redacted]	1%
Total Payments	[redacted]	139	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	24	[redacted]	27%
Alex Berthrong, DVM	[redacted]	15	[redacted]	26%
Angela Turra, DVM	[redacted]	4	[redacted]	2%
Kirk Moore, DVM	[redacted]	16	[redacted]	16%
Christa Finley, DVM	[redacted]	14	[redacted]	14%
Megan Glasere, DVM	[redacted]	2	[redacted]	1%
OTC	[redacted]	19	[redacted]	6%
Dog Wash	[redacted]	44	[redacted]	5%
Erin Berggren	[redacted]	2	[redacted]	1%
Wellness Plan	[redacted]	3	[redacted]	1%
Total Invoices	[redacted]	127	[redacted]	100%
Wellness Plans Only Invoices		0		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	1	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		6		
Patient visits		141		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	25	[redacted]	6%
Check Payments	[redacted]	3	[redacted]	11%
Mastercard Payments	[redacted]	7	[redacted]	7%
Visa Card Payments	[redacted]	81	[redacted]	55%
Discover Card Payments	[redacted]	4	[redacted]	5%
American Express Payments	[redacted]	4	[redacted]	1%
User-defined Payments	[redacted]	4	[redacted]	15%
Total Payments	[redacted]	128	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	25	[redacted]	20%
Alex Berthrong, DVM	[redacted]	12	[redacted]	33%
Angela Turra, DVM	[redacted]	4	[redacted]	3%
Hannah Mauck, DVM	[redacted]	1	[redacted]	1%
Kirk Moore, DVM	[redacted]	22	[redacted]	17%
Christa Finley, DVM	[redacted]	4	[redacted]	3%
Megan Glasere, DVM	[redacted]	15	[redacted]	17%
OTC	[redacted]	19	[redacted]	4%
Dog Wash	[redacted]	37	[redacted]	3%
Wellness Plan	[redacted]	1	[redacted]	0%
	[redacted]	1	[redacted]	0%
Total Invoices	[redacted]	124	[redacted]	100%
Wellness Plans Only Invoices		2		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	3	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		6		
Patient visits		149		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	16	[redacted]	2%
Check Payments	[redacted]	1	[redacted]	1%
Mastercard Payments	[redacted]	18	[redacted]	16%
Visa Card Payments	[redacted]	145	[redacted]	71%
Discover Card Payments	[redacted]	4	[redacted]	2%
American Express Payments	[redacted]	8	[redacted]	7%
User-defined Payments	[redacted]	3	[redacted]	1%
Total Payments	[redacted]	195	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	36	[redacted]	25%
Alex Berthrong, DVM	[redacted]	15	[redacted]	35%
Angela Turra, DVM	[redacted]	7	[redacted]	2%
Hannah Mauck, DVM	[redacted]	1	[redacted]	0%
Kirk Moore, DVM	[redacted]	16	[redacted]	11%
Christa Finley, DVM	[redacted]	13	[redacted]	12%
Megan Glasere, DVM	[redacted]	3	[redacted]	1%
OTC	[redacted]	25	[redacted]	5%
Dog Wash	[redacted]	40	[redacted]	4%
Technician	[redacted]	1	[redacted]	0%
Chris Goslin	[redacted]	1	[redacted]	0%
Wellness Plan	[redacted]	17	[redacted]	4%
Other Veterinary Hospital	[redacted]	1	[redacted]	0%
Total Invoices	[redacted]	189	[redacted]	100%
Wellness Plans Only Invoices		7		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	71	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		3		
Patient visits		179		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	20	[redacted]	8%
Check Payments	[redacted]	1	[redacted]	3%
Mastercard Payments	[redacted]	12	[redacted]	10%
Visa Card Payments	[redacted]	77	[redacted]	70%
American Express Payments	[redacted]	1	[redacted]	0%
User-defined Payments	[redacted]	2	[redacted]	10%
Total Payments	[redacted]	113	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	33	[redacted]	51%
Alex Berthrong, DVM	[redacted]	14	[redacted]	15%
Angela Turra, DVM	[redacted]	1	[redacted]	0%
Christa Finley, DVM	[redacted]	3	[redacted]	0%
Megan Glasere, DVM	[redacted]	15	[redacted]	23%
OTC	[redacted]	15	[redacted]	3%
Dog Wash	[redacted]	43	[redacted]	5%
Wellness Plan	[redacted]	2	[redacted]	1%
	[redacted]	1	[redacted]	0%
Total Invoices	[redacted]	120	[redacted]	100%
Wellness Plans Only Invoices		2		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	3	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		6		
Patient visits		136		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	19	[redacted]	3%
Check Payments	[redacted]	2	[redacted]	1%
Mastercard Payments	[redacted]	42	[redacted]	15%
Visa Card Payments	[redacted]	312	[redacted]	78%
Discover Card Payments	[redacted]	4	[redacted]	1%
American Express Payments	[redacted]	8	[redacted]	2%
User-defined Payments	[redacted]	2	[redacted]	0%
Total Payments	[redacted]	389	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	22	[redacted]	17%
Alex Berthrong, DVM	[redacted]	15	[redacted]	29%
Angela Turra, DVM	[redacted]	1	[redacted]	0%
Kirk Moore, DVM	[redacted]	11	[redacted]	14%
Christa Finley, DVM	[redacted]	17	[redacted]	21%
Megan Glasere, DVM	[redacted]	3	[redacted]	2%
OTC	[redacted]	20	[redacted]	4%
Dog Wash	[redacted]	33	[redacted]	5%
Other Veterinary Hospital	[redacted]	12	[redacted]	3%
VDIC	[redacted]	1	[redacted]	4%
	[redacted]	5	[redacted]	1%
Total Invoices	[redacted]	362	[redacted]	100%
Wellness Plans Only Invoices		4		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	282	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		5		
Patient visits		150		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	29	[redacted]	5%
Check Payments	[redacted]	1	[redacted]	1%
Mastercard Payments	[redacted]	7	[redacted]	5%
Visa Card Payments	[redacted]	74	[redacted]	79%
Discover Card Payments	[redacted]	3	[redacted]	2%
American Express Payments	[redacted]	5	[redacted]	7%
User-defined Payments	[redacted]	2	[redacted]	1%
Total Payments	[redacted]	121	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	3	[redacted]	1%
Alex Berthrong, DVM	[redacted]	21	[redacted]	43%
Kirk Moore, DVM	[redacted]	18	[redacted]	21%
Megan Glasere, DVM	[redacted]	16	[redacted]	22%
OTC	[redacted]	17	[redacted]	6%
Dog Wash	[redacted]	44	[redacted]	6%
Technician	[redacted]	1	[redacted]	0%
Erin Berggren	[redacted]	1	[redacted]	0%
Wellness Plan	[redacted]	1	[redacted]	0%
Camarea Freeman	[redacted]	1	[redacted]	0%
Tessa Maxfield	[redacted]	1	[redacted]	0%
Total Invoices	[redacted]	117	[redacted]	100%
Wellness Plans Only Invoices		5		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	4	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		2		
Patient visits		128		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	6	[redacted]	6%
Check Payments	[redacted]	5	[redacted]	8%
Mastercard Payments	[redacted]	9	[redacted]	7%
Visa Card Payments	[redacted]	60	[redacted]	69%
American Express Payments	[redacted]	2	[redacted]	2%
User-defined Payments	[redacted]	1	[redacted]	9%
Total Payments	[redacted]	83	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	6	[redacted]	5%
Alex Berthrong, DVM	[redacted]	9	[redacted]	22%
Angela Turra, DVM	[redacted]	18	[redacted]	26%
Kirk Moore, DVM	[redacted]	12	[redacted]	17%
Christa Finley, DVM	[redacted]	2	[redacted]	1%
Megan Glasere, DVM	[redacted]	15	[redacted]	14%
OTC	[redacted]	15	[redacted]	6%
Dog Wash	[redacted]	10	[redacted]	2%
Wellness Plan	[redacted]	3	[redacted]	4%
VDIC	[redacted]	1	[redacted]	4%
Total Invoices	[redacted]	76	[redacted]	100%
Wellness Plans Only Invoices		3		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	5	[redacted]	
Total Charges	[redacted]*			
Net change in A/R	[redacted]			
New Clients		5		
Patient visits		94		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	6	[redacted]	5%
Check Payments	[redacted]	1	[redacted]	2%
Mastercard Payments	[redacted]	7	[redacted]	14%
Visa Card Payments	[redacted]	61	[redacted]	71%
Discover Card Payments	[redacted]	1	[redacted]	1%
American Express Payments	[redacted]	2	[redacted]	5%
User-defined Payments	[redacted]	3	[redacted]	2%
Total Payments	[redacted]	81	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	2	[redacted]	0%
Alex Berthrong, DVM	[redacted]	3	[redacted]	2%
Angela Turra, DVM	[redacted]	28	[redacted]	34%
Hannah Mauck, DVM	[redacted]	1	[redacted]	1%
Kirk Moore, DVM	[redacted]	12	[redacted]	21%
Christa Finley, DVM	[redacted]	10	[redacted]	27%
Megan Glasere, DVM	[redacted]	2	[redacted]	4%
OTC	[redacted]	16	[redacted]	6%
Dog Wash	[redacted]	10	[redacted]	2%
Wellness Plan	[redacted]	3	[redacted]	1%
Total Invoices	[redacted]	76	[redacted]	100%
Wellness Plans Only Invoices		10		
Late Charges	[redacted]	1	[redacted]	
Adjustments	[redacted]	4	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		2		
Patient visits		104		

Milner Veterinary Hospital
PERIOD TOTALS

	TOTAL	COUNT	AVERAGE	% TOTAL
Cash Payments	[redacted]	6	[redacted]	6%
Check Payments	[redacted]	5	[redacted]	8%
Mastercard Payments	[redacted]	9	[redacted]	7%
Visa Card Payments	[redacted]	60	[redacted]	69%
American Express Payments	[redacted]	2	[redacted]	2%
User-defined Payments	[redacted]	1	[redacted]	9%
Total Payments	[redacted]	83	[redacted]	100%
Production by Provider				
Steve Milner, DVM	[redacted]	6	[redacted]	5%
Alex Berthrong, DVM	[redacted]	9	[redacted]	22%
Angela Turra, DVM	[redacted]	18	[redacted]	26%
Kirk Moore, DVM	[redacted]	12	[redacted]	17%
Christa Finley, DVM	[redacted]	2	[redacted]	1%
Megan Glasere, DVM	[redacted]	15	[redacted]	14%
OTC	[redacted]	15	[redacted]	6%
Dog Wash	[redacted]	10	[redacted]	2%
Wellness Plan	[redacted]	3	[redacted]	4%
VDIC	[redacted]	1	[redacted]	4%
Total Invoices	[redacted]	76	[redacted]	100%
Wellness Plans Only Invoices		3		
Late Charges	[redacted]	0	[redacted]	
Adjustments	[redacted]	5	[redacted]	
Total Charges	[redacted]			
Net change in A/R	[redacted]			
New Clients		5		
Patient visits		94		

On-Street Parking Availability Analysis Prepared by Staff

The applicant did not submit a parking analysis of on-street parking within 600 feet of the subject site, therefore, staff has utilized Oregon City GIS aerial photographs from the past five years, the most recent Google aerial images, the most recent Bing aerial images, and the most recent Google Streetview images to demonstrate that on-street parking in the area is consistently available.

Source	Occupied On-Street Parking Stalls
Oregon City GIS 2018 Aerial Image	21
Oregon City GIS 2017 Aerial Image	26
Oregon City GIS 2016 Aerial Image	26
Oregon City GIS 2015 Aerial Image	20
Oregon City GIS 2014 Aerial Image	35
Bing Maps Aerial Image	12
Google Maps Aerial Image	27
Google Streetview	23
Average Number of Occupied On-Street Parking Stalls	**23.75**

Parked Car within 600 feet of the Subject Site

On-street Parking within 600 feet of the Subject Site

Street within 600 feet of the Subject Site with no On-street Parking

Oregon City GIS 2018 Aerial Image
21 occupied on-street parking spaces

Oregon City GIS 2017 Aerial Image
26 occupied on-street parking spaces

Oregon City GIS 2016 Aerial Image
26 occupied on-street parking spaces

Oregon City GIS 2015 Aerial Image
20 occupied on-street parking spaces

Oregon City GIS 2014 Aerial Image
35 occupied on-street parking spaces

Bing Maps 2019 Aerial Image
12 occupied on-street parking spaces

Google Maps 2019 Aerial Image
27 occupied on-street parking spaces

Prospect Street

Prospect Street and May Street (0 occupied on-street spaces)

May Street (facing west)

May Street (facing east)

Harris Lane

Warner Street and Hughes Street

Beverly Drive

City of Oregon City

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

Staff Report

File Number: PC 19-122

Agenda Date: 11/18/2019

Status: Agenda Ready

To: Planning Commission

Agenda #: 3c.

From: Sr. Planner Christina Robertson-Gardiner

File Type: Planning Item

SUBJECT:
Planning Files: LEG 19-00003 - Beavercreek Road Concept Plan- Code and Zoning Amendments- (Parks, Enhanced Home Occupation/Cottage Industry)

RECOMMENDED ACTION (Motion):
Continuance of file LEG 19-00003 to the November 25, 2019 Planning Commission Hearing.

BACKGROUND:
The Planning Commission is reviewing the zoning and code amendments for the Beavercreek Road Concept Plan (BRCP) over multiple meetings during the late summer and fall of 2019.

Each meeting will be broken into 1-3 topics to allow the Planning Commission, staff and the public time to focus their energy. Please refer to the updated calendar attached to each Planning Commission packet for meeting topics.

The following topics were identified either by public comment or the Planning Commission for the September 23, 2019 Hearing. Staff will provide background and draft amendments on the following issues:

1. Parks Acquisition Code Amendments
2. Enhanced Home Occupation/Cottage Industry (follow-up from September 9, 2019 PC Meeting)

Tentative Schedule
The dates and topics may change as the process moves forward.

August 12, 2019 Background on Project, Open Record
August 26, 2019: Introduce Tracking Matrices, An Overview Of 8.13.19 City Commission Work Session, Identify Future Topics /Calendar
September 9, 2019: Beavercreek Zones & Maps, Home Occupation
September 23, 2019: Master Planning Requirement, Upland Habitat, Geologic Hazards
October 14, 2019: Parks, Renaming Concept Plan, Home Occupation/Cottage Industry
November 18, 2019 PC Meeting- Parks Home Occupation/Cottage Industry
November 25, 2019: Transportation Roadway Width, Roundabout, Holly Lane, Local Street Speed)
December 9, 2019: Tentative Planning Commission Recommendation

Other Meetings
November 12, 2019 - City Commission Beavercreek Road Design Work Session-
August 29, 2019 Parks and Recreation Advisory Committee (PRAC)- Initial Presentation
October 9, 2019 Natural Resource Committee Upland Habitat
November 13, 2019 Natural Resource Committee Upland Habitat
TBD- Parks and Recreation Advisory Committee (PRAC) Recommendation To The Planning Commission
October 2019 - Additional Public Outreach on Transportation Questions

BUDGET IMPACT:
Amount:
FY(s):
Funding Source:

Community Development – Planning

698 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

To: Planning Commission
From: Christina Robertson-Gardiner, Senior Planner
RE: LEG 19-0003-Beavercreek Road Concept Plan Zoning and Code Amendments
Date: November 8, 2019

Background

The Planning Commission has been reviewing the zoning and code amendments for the Beavercreek Road Concept Plan (BRCP) over multiple meetings during the late summer and fall of 2019. Each meeting is broken into 2-3 topics to allow the Planning Commission, staff, and the public time to focus their energies. Planning Commission comments and direction, as well as public comments, will be tracked throughout the hearings, and topics may be added to future meetings if new items are identified or issues have not been resolved. Please refer to the updated calendar attached to each Planning Commission packet for meeting topics.

The following topics were identified either by public comment or the Planning Commission for the November 18, 2019 Hearing. Staff will provide background on the issue and offer a recommendation if warranted.

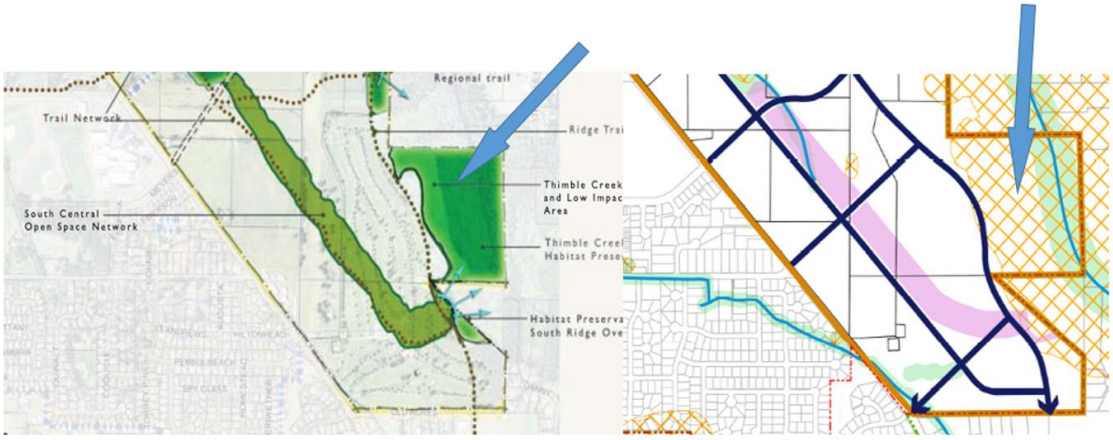
1. Parks Acquisition Code Amendments

The BRCP prioritizes an open space network that preserves identified environmental resource areas, parks, trails, and viewpoints, including the South-Central Open Space Network and the Low Impact Conservation Area upslope of Thimble Creek on the eastern edge of the district. The dedication of park property (or fee in lieu) is anticipated to occur at the time of development based on a proportional calculation. The system of dedication would allow the development of a park system within the BRCP conisting of a lineal park (string) connecting a series of modest sized parks (pearls).

The Parks and Recreation Advisory Committee (PRAC) recommended that the Conservation Area also be acquired as a city park/open space during development review. At the October 14, 2019 Planning Commission Meeting, the Planning Commission concurred with PRAC's recommendation and directed staff to revising the number of acres the city could acquire through exaction in the development process as needed. Currently, it is 8 acres. Recommendated calculations will be presented at the November 18, 2019 Planning Commission Meeting.

Linear Park: Pearl and String Approach

East Ridge – Thimble Creek Conservation Area



The proposed code amendments will create the South-Central Open Space Network and Low Impact Conservation Area through required parkland dedication at the time of development and protect trail corridors throughout the district's open space system by also requiring the dedication of easements at the time of development. This code is not for the construction of these elements, only for the dedication of land. System Developments fees or grants are anticipated to used for construction of parkland acquired by this code.

The recommended redlines below incorporate the East Ridge-Thimble Creek Conservation area into the park dedication requirements, but are still being finalized by the Parks and Recreation Advisory Committee.

16.08.042 (&17.62.058) - Additional Public Park and Open Space Requirements in Beavercreek Road Concept Plan area.

A. *Each development within the Beavercreek Road Concept Plan area that includes residential development must provide for land for neighborhood parks and open space during a development application which meets the requirements of this section.*

B. *The minimum amount of land in acres dedicated for ~~a~~ parks shall be calculated according to the following calculation: (2.6 persons per dwelling units) x (total number of dwelling units proposed in the development) x (~~8.0~~ x acres) / (1,000 persons).*

C. *The entire acreage must be dedicated prior to approval or as part of the final plat or site plan development approval for the first phase of development.*

D. *If a larger area for a neighborhood park or open space-is proposed than is required based on the per-unit calculation described in subsection (A), the City must reimburse the applicant for the value of the amount of land that exceeds the required dedication based on the fee-in-lieu formula expressed in subsection (E)(1).*

E. *The City may accept a fee-in-lieu as an alternative to this dedication at its discretion or may require a fee-in-lieu if a suitable site meeting the criteria described in subsection (F) of these provisions is not available with the development site. The calculation of the fee-in-lieu or other monetary contribution must meet the following standards.*

   1. *The amount of the fee in lieu or other monetary contribution is set in dollars per acre of required dedication and is equivalent to the appraised cost of land within the development, as provided by a certified appraiser chosen by the City and with the assumption that zoning and other land use entitlement are in place.*

2. *The fee-in-lieu or other monetary contribution must be paid prior to approval of the final plat or development approval for each phase of development.*

F. *Neighborhood park and open space sites proposed for dedication must meet the following criteria.*

1. *Located within the South Central Open Space Network as shown in Figure 16.08.042-1. or the East Ridge-Thimble Creek Conservation Area 16.08.042-2.*

   Figure 16.08.042-1 & 2 (To be provided, will show the South Central Open Space Network & East Ridge-Thimble Creek Conservation Area as mapped on the Development Constraints Map.)

   a. Meeting ~~either of~~ the following standards:

   ~~a. Pearl standard. (To be developed with Parks input.)~~

   ~~b. String standard. (To be developed with Parks input.)~~

   Waiting for PRAC Direction

2. *Located within the East Ridge- Thimble Creek Conservation Area*

   a. Meeting ~~either of~~ the following standards:

   Waiting for PRAC Direction

Draft Park Elements

South Central Open Space-Neighborhood Park

- *30 foot ped/bikeway string along the east side of Holly Lane extension to be located in the right of way and will not be considered part of a pearl.*
- *3-4 pearls of various sizes spread along the open space network*
- *Min and maximum sizes pearls: TBD*
- *Min combined size of all pearls: 8 acres*
- *Min average width: TBD*
- *Min average depth: TBD*
- *At least 5 acres to be developed with active recreation components*

East Ridge- Thimble Creek Conservation Area

- *Two public viewpoints: size TBD*
- *½ of area between the Thimble Creek stream buffer and the 490-foot elevation ridgeline to be open space*
- *700-foot non-interrupted view corridor along open space*
- *Provide a forest trail from one view-point to another along the Ridge Parkway*

Next Steps: Staff is continuing to work with the Parks and Recreation Advisory Committee (PRAC) on the proposed code language. Staff will pass recommendations by the Planning Commission onto PRAC for future discussions.

2. Enhanced Home Occupation/Cottage Industry

At the September 9, 2019 Planning Commission Hearing, the Planning Commission directed staff to look at options to increase employment opportunities in the Residential Districts of the Beavercreek Road Concept Plan. An initial survey was sent out to over 200 people participating in the Beavercreek Road Concept Plan email listserve.

The survey looks at different ways the home occupation license could be enhanced within the Beavercreek Road Concept Plan area to allow more intense employment options. Survey results show that there are varied opinions for these options, though staff obtained direction from the Planning Commission at their October 14, 2014 hearing:

- Retail (such as picking up goods for sale) should be allowed with restrictions such as size, incidental to services, and hours
- Outdoor storage associated with a business (landscaping equipment, construction materials) should not be allowed
- Parking commercial vehicles (landscape trucks, 5th wheel cabs) should be allowed for smaller one-person vehicles, and vehices up to 10,000 lbs to 26,000 lbs.
- Work should not be performed outdoors (welding, outdoor yoga)
- Offsite employees should be allowed to work at a residence with limitaitons such as up to 3 employees checking in at residence or working at the house and hour limitations
- Using a majority of a residence for business (more than 50% of the residence devoted to business use) should not be allowed

17.04.580 -Home occupation. "Home occupation" means an occupation carried on solely by the resident or residents of a dwelling unit as a secondary use in accordance with 17.54.120

17.54.120 -Home Occupations
Home occupations shall comply with all of the following:
A.No employees reporting to work onsite who are not residents unless otherwise required by State law. The business may have off-site employees or partners provided that they do not report for work at the subject residence;
B. All business conducted on sites hall be conducted within the home or accessory structure;
C.No outdoor storage of materials or commercial vehicles associated with the business shall occur on-site; and
D.Not more than one-half of the square footage of the primary dwelling is devoted to such use.

17.54.120 -Home Occupations/Cottage Industry- Thimble Creek Concept Plan Area
Home occupations and Cottage Industries within the Thimble Creek Concept Plan Area are allowed an expanded level of uses to support job creation in Oregon City and shall comply with all of the following:
A. Up to 3 offsite employees are allowed to work at the residence. Offsite employees may work onsite Monday-Friday 7:00 am-6:00 pm and Saturday and Sunday 9:00 am to 6:00 pm;
B. All business conducted on-site shall be conducted within the home or accessory structure;
C. No outdoor storage of materials associated with the business shall occur on-site;
D. Not more than one-half of the square footage of the primary dwelling is devoted to such use;
E. There is no restriction in the number of commercial vehicles associated with the business under 8,000 pounds gross weight allowed to be stored outside. One commercial vehicle associated with the business with a

weight between 8,000 to 26,000 pounds gross weight may be stored outside. No commercial vehicles associated with the business may be stored in the Right of Way;
D. Retail of items associated with a service is allowed on site. Any dedicated retail space located within the residence may be no larger than 300 square feet. Retail hours may not exceed Monday-Friday 7:00 am-6:00 pm and Saturday and Sunday 9:00am to 6:00 pm.

17.04.255 -Commercial vehicles. "Commercial vehicle" means: A. A vehicle of over eight thousand pounds gross weight that is designed for or being used to transport merchandise, or a vehicle of less than eight thousand pounds gross weight with the business name of the user permanently exhibited on one or both of its sides that is designed and being used to transport merchandise; B. A station wagon or other vehicle with the business name of the user permanently exhibited on one or both of its sides, when used for transporting merchandise

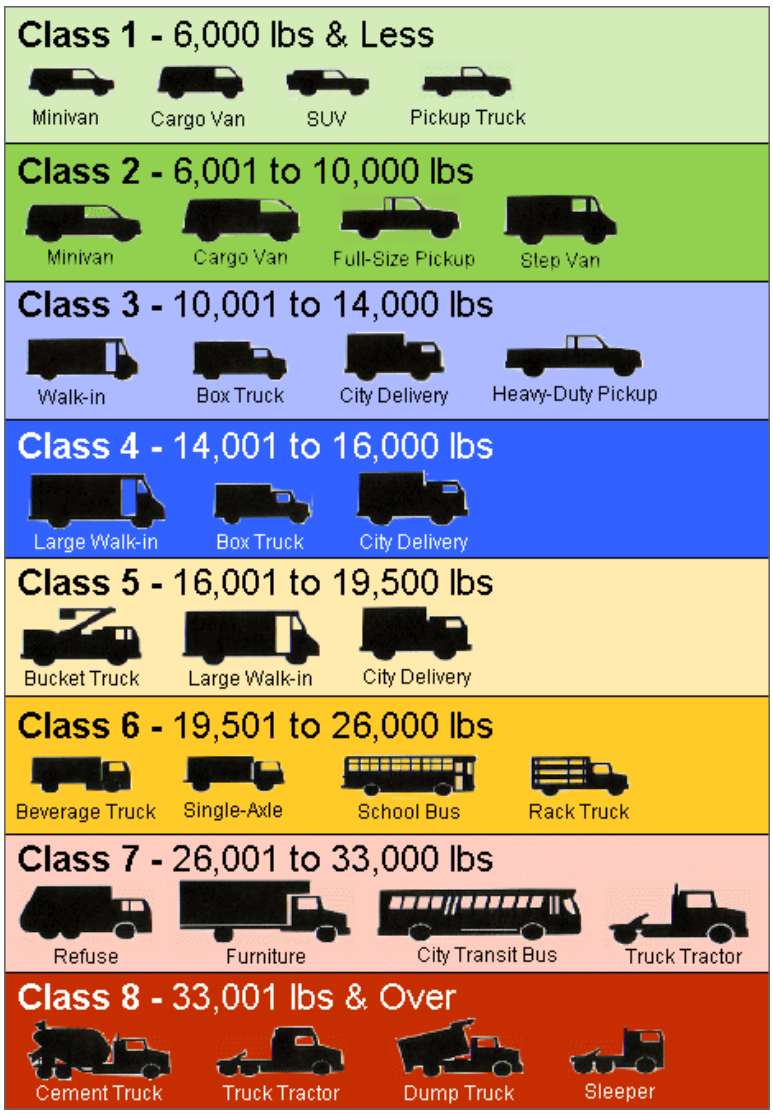


Figure 1-Reference chart for discussion. Chart will not be adopted into municipal code (www.energy.gov)

Next Steps: Staff has proposed amendments to the code to implement the direction by the Planning Commission, but is looking for the PC to confirm:

- If the language correctly implenents the direction of the PC
- If any standard should differ for a particular zoning designation.
- If retail sales is correctly categorized. Sales incidental to service could be tricky to enforce through code enforcement as the term is subjective.

Date	Question/Comment	Topic	Staff Response / Recommendation	Planning Commission Action/Recommendation
8.12.19 Mike Mitchell	Provide more background on the decision to have a 20 foot setback at the north boundary of the concept plan areas and a 40 foot setback at the south boundary	Zones	Will be addressed at the September 9, 2019 Planning Commission Meeting.	Keep northern setback as written. Add accessory buildings and roads as permitted in the southern boundary.
8.12.19 Mike Mitchell	Concern that the definition of warehousing is not specific enough to allow ancillary use by permitted uses	Zones	Will be addressed at the September 9, 2019 Planning Commission Meeting.	Oregon City views the storage and distribution of materials that are constructed or assembled onsite to be part of the permitted use. No changes to the code are recommended.
8.12 19 Patti Gage	Provide additional background on the Geologic Hazard code- how does it affect development in the BRCP area and Holly Lane area?	Hazards/Natural Resources	Geologic Hazard Review within the city is subject to OCMC 17.44 Geologic Hazard Review. Areas near the Thimble Creek Conservation Area are subject to the Geologic Hazard code at time of Development Will be further addressed at the September 23, 2019 Planning Commission Meeting.	Planning Commission did provide staff with any direction on amendments to the existing 17.44 Geologic Hazards Overlay District
9.9.19 Planning Commission	Provide additional information on options for including additional job opportunities in the southern part of the Concept Plan area.	Cottage Industry/Home Occupation	This topic will be further addressed at the October 14, 2019 and November 8, 2019 Planning Commission Meetings	Planning Commission provided initial direction on special home occupation/cottage industry code.

Date	Question/Comment	Topic	Staff Response / Recommendation	Planning Commission Action/Recommendation
8.12.19 Dirk Schlagenhaufer	Provide additional information on the pros and cons of roundabouts and crash statistics for the corridor.	Transportation	Additional information about intersection control measures (Roundabouts and signals) will be shared at the November 12, 2019 city Commission Work session and November 25, 2019 Planning Commission Meeting. See calendar in Commission report for details	
8.12.19 Dirk Schlagenhaufer	Please expand on Comprehensive Plan Policy 9.8.7 as it relates to bicycles	Transportation	*Policy 9.8.7* *Assess methods to integrate the pedestrian, bicycle and elevator transportation modes into the mass transit system.* Additional information about intersection control measures (Roundabouts and signals) will be shared at the November 12, 2019 city Commission Work session and November 25, 2019 Planning Commission Meeting. See calendar in Commission report for details	
8.12.19 Tom Geil Vern Johnson	If the transportation study horizon is only 20-25 years how do we know we are sizing Beavercreek Road correctly?	Transportation	Additional information about traffic studies and planning for capacity will be shared in will be shared at the November 12, 2019 city Commission Work session and November 25, 2019 Planning Commission Meeting. See calendar in Commission report for details	
8.12.19 Mike Mitchell	Concern about categorizing shared and separated bike lines with at grade bike lanes in terms of safety and likeliness of being utilized	Transportation	Additional information about will be shared will be shared at the November 12, 2019 city Commission Work session and November 25, 2019 Planning Commission Meeting. See calendar in Commission report for details	
8.12.19 Tom Geil	Provide more information on the creation of the Beavercreek Blue Ribbon Committee	Other/Economic Development	Lori Bell, Economic Development Coordinator will provide a brief email explaining purposed of organization, which will be attached to public comments.	Non anticipated

Date	Question/Comment	Topic	Staff Response / Recommendation	Planning Commission Action/Recommendation
10.14.19 Full Planning Commission	Home Occupation direction Allow: Some retail, Some commercial vehicles onsite, some offsite employees	Home Occupation/Cottage Industry	Code revisions will be presented at the November 18, 2019 Planning Commission meeting.	
10.14.19 Mike Mitchell	Parks We might need to tweak the calculation to get the two parks acquired.	Parks	Code revisions will be presented at the November 18, 2019 PC meeting.	

Date	Topic	Issue / Comment / Concern	Staff Comment	Has this been Addressed? How?
7.3.19 Written Comment to Planning Commission Wendy Black	Natural Resources	Concerned that the area where home is located was in a protected natural area according to the first map they were sent, but now seems to be included in the industrial area. Concern about project impact to farm use.		This topic will be addressed at the September 23, 2019 Planning Commission Meeting
7.12.19 Written Comment to Planning Commission Clackamas River Water (CRW)	Infrastructure	Territory that is annexed to the City must be withdrawn from CRW and served by Oregon City services to the extent practicable. CRW assumes that future development will, in large part, be guided and coordinated consistent with the concepts provided in the Joint Engineering Study, June 11, 2018, by Murraysmith.	This is consistent with Staff's understanding. New development within the concept plana area (except for the previously approved Villages of Beavercreek) will utilize city water.	No response needed for this comment
7.15.19 Written Comment to Planning Commission Wes Rogers Oregon City School District	Infrastructure	Assuming that the BRCP is developed in stages over the next 5-10 years, the District currently believes that it has the current capacity and/or will be able to have time to add capacity to meet the long-term enrollment generated by the Beavercreek Road Concept Plan development.	The school property to the south of the Concept Plan area will have vehicular access to the Concept Plan and can connect to local streets when it is constructed.	No response needed for this comment

Date	Topic	Issue / Comment / Concern	Staff Comment	Has this been Addressed? How?
8.12.19 Testimony to Planning Commission Paul Edgar Entered into the record- Title 4 Map	Zoning Map	Request that the Planning Commission work with Metro to revise the Title 4 Industrial maps to remove a parcel owned by Terry Emmert to allow construction of housing for homeless veterans onsite.	https://www.oregonmetro.gov/industrial-and-employment-land Portions of the CI area in the BRCP are identified as Title 4 Industrial areas. Any change to the title 4 Map must be adopted by Metro and would need to be completed before the Code amendments are adopted by the City to remain consistent with Title 4.	This will be addressed at the September 9, 2019 Planning Commision Hearing
8.12.19 Testimony to Planning Commission Christine Kosinski	Geologic Hazards	Concerned about development in the Beavercreek concept Plan areas affecting homes on Holly Lane as Holly lane is in a historic landslide area. Does not support any connection of the concept plan area to Holly Lane-	Geologic Hazard Review within the city is subject to OCMC 17.44 Geologic Hazard Review. Areas near the Thimble Creek Conservation Area are subject to the Geologic Hazard code at time of Development.	This topic will be addressed at the September 23, 2019 Planning Commission Meeting
9.9.19 Jim Nicita	Cottage Industry	2011 City Commision Meeting voted to have additional job opportunities at the south of the concept plan. Encouraged PC to look at a hybrid district rather than a residential district with home occupation uses. Encourage implementing cottage industry.	Planning Commission requested staff to return at a future meeting with additional opportunities for jobs in the southern part of the Concept Plan area above and beyond the existing home occupation licence.	This topic will be further addressed at the October 14, 2019 Planning Commission Meeting

Date	Topic	Issue / Comment / Concern	Staff Comment	Has this been Addressed? How?
9.9.19 Elizabeth Grazer Lindsey	Cottage Industry	This area was brought into the Urban Growth Boundary for jobs. There are many businesses that are currently in the county that would want to be involved in this use. Encourage allowing cottage industry as a way to promote incubator spaces.	Planning Commission requested staff to return at a future meeting with additional opportunities for jobs in the southern part of the Concept Plan area above and beyond the existing home occupation license.	This topic will be further addressed at the October 14, 2019 and November 18, 2019 Planning Commission Meetings
Elizabeth Grazer Lindsey 10.14.19 Submitted 10.14	Cottage Industry/Enhanced Home Occupation	Traffic congestion exists because of everybody leaving the city to work, Cottage Industry allows entrepreneurs to grow their business inside the city. Jobs in rural areas should be in city areas. The City is losing a lot by not allowing people to grow their own business. We should have a neighborhood where industrious people can have an opportunity to thrive. Fences can be used to make outdoor storage more compatible. The residential areas would benefit having a range of lot sizes to allow different cottage industry types. Think of this area as an attraction/brand. The Planning Commission needs to find more people to interview to see what meets their needs.	Planning Commission will be reviewing draft code at the November 18, 2019 City Commission Meeting.	

Date	Topic	Issue / Comment / Concern	Staff Comment	Has this been Addressed? How?
9.23.19 Christine Kosinki Handouts	Geologic Hazards	Holly Lane Connection is not suitable for road connection to I-205 No insurance coverage is readable available for property owners If near a landslide area you cannot get landslide insurance. The City should provide additional information on landslides and protection people can take to protect their land. State Law requires people to educate about landslides. Oregon City has been derelict in educating the public.	Josh Wheeler, Assistant Engineer presented a background on the OCMC 17.44 Geologic Hazard Overlay District. He also recommended people attend the October 8, 2019 City Commission Worksession about Geologic Hazards.	Planning Commission did not provide staff with any direction on amending the existing 17.44 Geologic Hazards Overlay District.

From: Lori Bell
To: Christina Robertson-Gardiner
Subject: Beavercreek Employment Area
Date: Monday, August 26, 2019 10:09:39 AM
Attachments: image001.png

Thank you for reaching out Christina. The Blue Ribbon Committee, created in 2016, is a community group working to increase awareness around available sites around Clackamas Community College.

Below are the answers to your questions.

1. Why was it created? – to attract targeted industry to the existing and zoned Industrial sites in the Beavercreek Employment Area, near and around Clackamas Community College area by leveraging the education and training resources at Clackamas Community College.
2. Steering Committee -Lori Hall, CCC PIO, Lisa Davidson Executive Director of CCC Center for Business and Industry, Lori Bell Economic Development City of Oregon City, Current Executive Director Oregon City Chamber of Commerce Victoria, Jon Legarza – or other representative from Clackamas County Ec Dev Department, Kent Ziegler, OCBA representative.
3. Eric Underwood and Amber Holvek, previous Chamber Director, created the ad hoc committee.
4. It is not a public body and interested parties are welcome to attend. The group meets on an ad-hoc bases. Contact Lori Bell for more information.

Please let me know if you need anything else.

Lori Bell
Economic Development
lbell@orcity.org

City of Oregon City
PO Box 3040
625 Center Street
Oregon City, Oregon 97045
503-974-5517 x 1588 Direct
503-657-0891 City Hall

From:	Wendy Black
To:	Christina Robertson-Gardiner
Subject:	Beavercreek Road Concept Plan - Loder Rd Residents
Date:	Wednesday, July 3, 2019 2:39:07 PM

Hello,

I live on Loder Road in the area that now seems to be planned for a Campus Industrial Zoning. Currently we are Rural Residential Farm/Forest 5 and we have a small farm that does include animals. This is significant source of food for our family. We also live on the ridge above the creek. I am concerned how the rezoning would impact our land use. Are you able to provide me further information? I've read through much of the information on the website. I am very concerned that the area where our home is was in a protected natural area according to the first map we were sent, but now seems to be included in the industrial area. I had trouble telling from all the other maps and information what was happening.

Thank you for your assistance in this matter. Kind regards,
Wendy Black
15060 S Loder Rd, Oregon City, OR 97045

Oregon City School District No. 62

Learning to be our Best

PO Box 2110 (1417 12th St.), Oregon City, Oregon 97045-5010

July 15, 2019

Community Development Department
City of Oregon City
698 Warner Parrott Road
Oregon City, OR 97045

RE: Beavercreek Road Concept Plan - BRCP

The District has been asked to provide comments concerning the BRCP and the current proposal for zoning designations and code amendments. Comments are to address the ability of Oregon City School District to adequately provide public educational services to the area. Current impacted school enrollment areas are Gaffney Lane and Beavercreek Elementary Schools, Ogden Middle School and Oregon City High School.

The District has limited short-term capacity available at both Gaffney Lane and Beavercreek Elementary Schools, capacity available at Ogden Middle School and capacity at our three high schools. Recent residential developments in the District have yielded significantly less than one student per household across all grade levels. The District currently is in design and construction to replace/expand and update middle schools and add safety and security features to all District schools. Current enrollment projections show a gradually increasing elementary enrollment, a middle school enrollment that decreases in the short term and then gradually increases and high school enrollment that slightly decreases. Assuming that the BRCP is developed in stages over the next 5-10 years, the District currently believes that it has the current capacity and/or will be able to have time to add capacity to meet the long-term enrollment generated by the Beavercreek Road Concept Plan development.

Sincerely,

Wes Rogers
Bond Program Manager
503-785-8531, wes.rogers@orecity.k12.or.us

Oregon City Planning Commission
Hearing of September 23rd, 2019

RE: Testimony of Christine Kosinski, unincorporated Clackamas County

Agenda Item 3b – LEG19-0003 Beavercreek Rd Concept Plan – Geology

Oregon City is comprised of some of the most difficult and dangerous topography in the State. I continue to be shocked that the City would even consider using Holly Lane as a freeway for motorists to reach the I-205. This is being done to preserve Beavercreek Road, since it is at capacity, and the City has failed in the past to construct a grade separated intersection at Hwy 213 and Beavercreek Rd which would have been the solution to its capacity issues at this intersection. Because the City failed, they pulled out Plan B from their pocket and decided to use Holly Lane which is a small 2 land road that is riddled on both sides with landslides. The homeowners on Holly Lane have suffered previous landslides which demolished two homes and severely damaged four others. Their was NO insurance coverage when the slides occurred in 1996 and the homeowners had to pay hundreds of thousands of dollars to fix and re-build their homes.

Case in point, the City has failed to fulfill it's obligations to their people in providing adequate transportation infrastructure to support the large build out they are proposing, however using Holly Ln to carry some 70,000 plus vehicles per day is simply ludicrous. To make the people of Holly Lane pay for the errors of the City should never be done, rather the City must now go back to plan their way out of this difficult situation that they themselves have created.

Following are several Exhibits I am entering into the City record for the Beavercreek Rd Concept Plan. These exhibits show that poor planning on the part of the City has created these traffic problems.

EXHIBIT ONE – One page of a new article where Scott Burns, Professor of Geology, PSU, was being interviewed after the OSO, WA Landslide Disaster. This is the statement he had about the poor people losing everything, **and there's no insurance covering them.**

EXHIBIT TWO – This is the first sheet of an application for Landslide Insurance, NOTE the question "Is the building in a known landslide area or have there been any incidents of landslide within ONE MILE of the property? It doesn't matter if you answer yes or no since the insurance company will look up your address on lidar landslide maps. If there has been a previous landslide within one mile of your property you will not get insured.

EXHIBIT THREE – There are extensive exclusions, in fact so many, that even if you could get landslide insurance, it would virtually never pay out.

EXHIBIT FOUR – Here is a copy of the denial my Husband and I received when we tried to obtain landslide insurance in 2015.

EXHIBIT FIVE – An e-mail from Professor Scott Burns speaking to the concerns of the Thayer Road landslides and that the road will not take large amounts of traffic.

EXHIBIT SIX – Oregon City's Comprehensive Plan for Landslides. If the City approves the use of Holly Lane, as well as the approving both the North and South extensions of Holly, they will be going against their own Comprehensive Plan, as well as the requirements of the State and LCDC.

EXHIBIT SEVEN – Oregon City "Trail News

EXHIBIT EIGHT - DOGAMI's Lidar Landslide Map. The location of the BRCP is highlighted. I want you to note that this map includes an extensive area of Oregon City because NO ONE in this entire area will be able to obtain Landslide Insurance. Many of them will not know this when they are purchasing homes and/or property. They need to be told the truth if they are moving into a landslide area, they need to know there will be no insurance coverage if a landslide hits their property. **This is STATE LAW – Property Disclosure Law.**

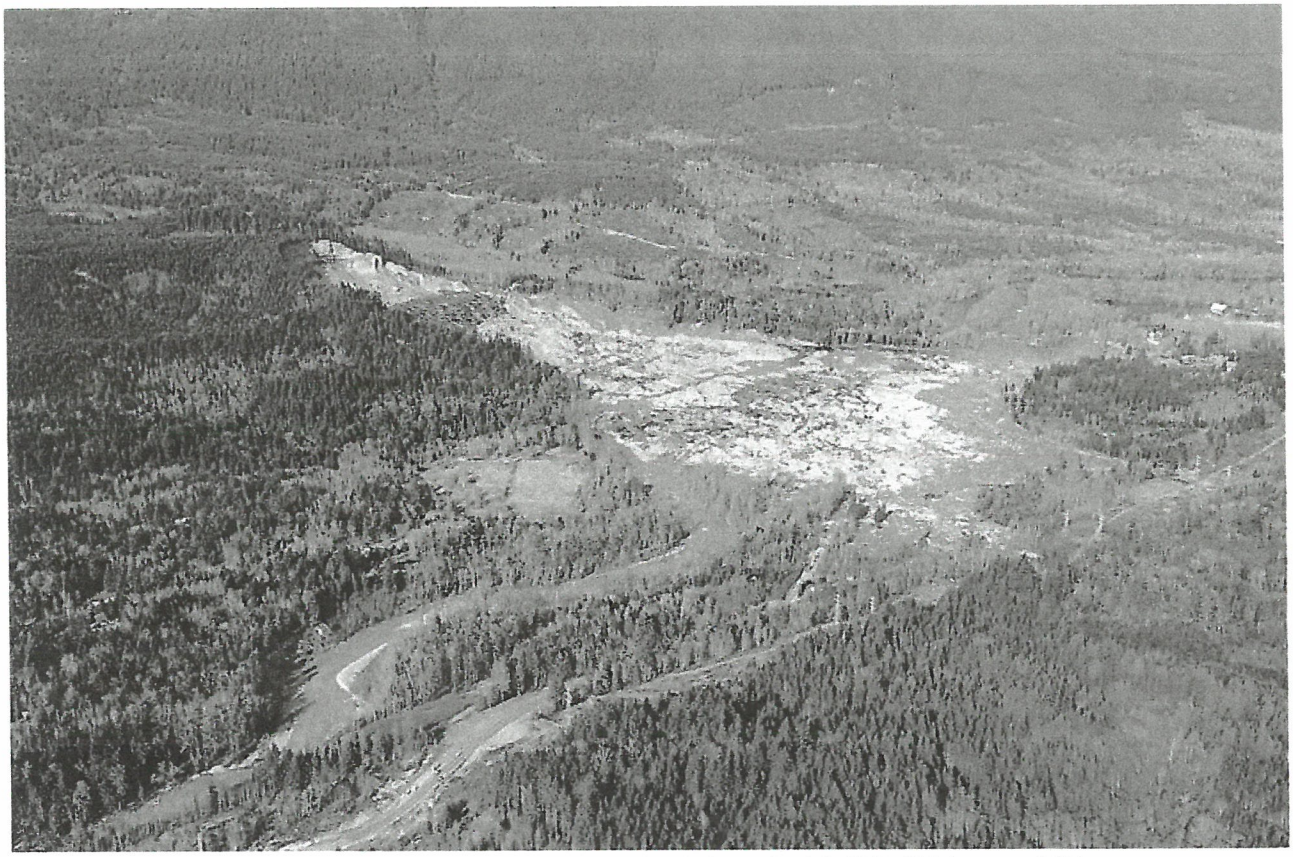
The City should not be using the people of Holly Lane to try and fix it's planning problem where the grade separated intersection, which should have been built way back before three very large concept plans were proposed. The City was wrong in doing this, and now must, once again, re-consider the grade separated intersection which is what should have happened years ago. We ask and ask again and again, take Holly Lane out of your TSP. It is a dangerous street with high susceptibility to future landslides. A City should NEVER compromise the SAFETY of the people!

A Call For Landslide Insurance For Homeowners

Scott Burns

By DAVID HYDE (/PEOPLE/DAVID-HYDE) & MARCIE SILLMAN (/PEOPLE/MARCIE-SILLMAN) • MAR 26, 2014

Twitter (http://twitter.com/intent/tweet?url=http%3A%2F%2Fwww.tinyurl.com%2Fk9hh9uk&text=A%20Call



(http://mediad.publicbroadcasting.net/p/kuow/files/styles/x_large/public/201403/osomudslide-GovInsleeaerial1.jpg)

All those people who lost their houses in the Oso landslide have lost everything, and there's no insurance covering them. We lost lives. That is the worst thing. But then property is the second thing. Hopefully, this will be enough of an impetus to take us to the next level and put more pressure on insurance companies to possibly come forward with landslide insurance.

#1

Building Information

Foundation Type:	Crawl Space
Dwelling Type:	Owner Occupied Primary Residence
Year Built:	1971
Roof Update:	1998
Construction Type:	Wood Frame
Dwelling Value Declared at 100% Replacement Cost:	$200,000.00
Total Square Footage:	1,410
Do you own this property?	Yes
Select the option that best describes the building:	Single-Family
Is this a split level home?	No

General Questions

Does the building have additions or extensions supported by posts, piers, or beams?	No
Is there existing cracking of wall or foundation?	No
Is there a garage attached to the building?	Yes
Is the sill plate permanently bolted to the foundation of the building?	No
What year was the roof last updated?	1998

Earthquake Questions

Have any buildings or personal property located on the premises been damaged from an incident of Earthquake Shock?	No

Landslide Questions

Is the building in a known landslide area or have there been any incidents of landslide within 1 mile of the property?	Yes
Have any buildings or personal property located on the premises been damaged from an incident of landslide, earth movement, or land subsidence?	No

#2

POULTON ASSOCIATES, INC. | State License Number: 230392
3785 South 700 East, Second Floor, Salt Lake City, Utah 84106
Phone: 801-268-2600 Opt# 2 | Fax: 801-268-2674 | icservice@poulton.com

H.Premises means the real property at the address shown on the Coverage Declarations.

I. **Sinkhole** collapse means the settlement or systematic weakening of the land supporting the **building(s)**, when such settlement or systematic weakening results from movement or ravelling of soils, sediments, or rock materials into subterranean voids created by the effect of water on a limestone or similar rock formation.

III. Losses Excluded

A. This Policy does not insure against:

1. Loss or damage arising directly or indirectly out of nuclear reaction, nuclear radiation or radioactive contamination, however such nuclear reaction, nuclear radiation or radioactive contamination may have been caused.
2. Loss or damage arising directly or indirectly out of war, invasion, acts of foreign enemies, hostilities (whether war be declared or not) civil war, rebellion, revolution, insurrection, military or usurped power or martial law or confiscation or nationalization or requisition or destruction of or damage to property by or under the order of any government or public or local authority.
3. Loss, damage or increased cost arising directly or indirectly out of enforcement of any ordinance or law regulating the use, reconstruction, repair or demolition of any **building(s)** insured hereunder, nor any loss, damage, cost, expense, fine or penalty which is incurred, or sustained by or imposed on you at the order of any governmental agency, court or other authority arising from any cause whatsoever.
4. Loss or damage arising out of acts or decisions, including the failure to act or decide, of any person, group, organization or governmental body relating to faulty, inadequate or defective:
   a. Planning, zoning, development, surveying, siting;
   b. Design, specifications, workmanship, repair, construction, renovation, remodelling, grading, compaction;
   c. Materials used in repair, construction, renovation or remodelling; or
   d. Maintenance of all or part of any property on or off the **premises**.
5. Loss or damage arising out of normal settling, shrinking or expansion of land, **buildings**, structures or foundations; or erosion, gradual subsidence or the processes of erosion that take place over time, or any other gradually occurring loss or damage whether caused by **earthquake shock**, **flood** or **landslide** or not, or any loss or damage which commenced prior to the inception of this Policy.
6. Loss or damage arising out of fire regardless of any other event which contributes concurrently or in any sequence to the loss or damage.
7. Loss or damage arising out of exposure to weather conditions where any **personal property** is left in the open or not contained in **buildings** which are on permanent foundations and capable of secure storage.
8. Mysterious disappearance or inventory shortage, theft, fraud, or any kind of wrongful conversion or abstraction.
9. The costs for reconstruction of electronic data or other data.
10. Loss or damage arising out of cessation, fluctuation or variation in, or insufficiency of, water, gas or electricity supplies, or other public utility service supplying the **premises**.
11. Reduction in rental value, reduction in market value or the saleability of property insured by this Policy, or any costs or expenses related thereto.

B. Notwithstanding any provision in this Policy to the contrary (or within any Endorsement which forms part of this Policy), this Policy does not insure:

1. Any loss, damage, costs or expense, or
2. Any increase in insured loss, damage, cost or expense, or
3. Any loss, damage, cost, expense, fine or penalty, which is incurred, sustained or imposed by order, direction, instruction or request of, or by any agreement with, any court, government agency or any public, civil or military authority, or threat thereof, (and whether or not as a result of public or private litigation) which arises from "any kind of seepage or any kind or pollution and/or contamination," or threat thereof, whether or not caused by or resulting from a peril insured, or from

SPECIMEN

#3

This exclusion applies regardless whether there is (i) any physical loss or damage to insured property; (ii) any insured peril or cause, whether or not contributing concurrently or in any sequence; (iii) any loss of use, occupancy, or functionality; or (iv) any action required, including but not limited to repair, replacement, removal, clean-up, abatement, disposal, relocation, or steps taken to address medical or legal concerns.

This exclusion replaces and supersedes any provision in the Policy that provides insurance, in whole or in part, for these matters.

I. This Policy does not cover any costs and expenses, whether preventative, remedial or otherwise, arising out of or relating to change, alteration or modification of any computer system, hardware, program or software and/or any microchip, integrated circuit or similar device in computer equipment or non-computer equipment, whether the property of the insured or not.

J. Notwithstanding any provision to the contrary within this insurance or any endorsement thereto it is agreed that this insurance excludes loss, damage, cost or expense of whatsoever nature directly or indirectly caused by, resulting from or in connection with any act of terrorism regardless of any other cause or event contributing concurrently or in any other sequence to the loss.

For the purpose of this Policy an act of terrorism means an act, including but not limited to the use of force or violence and/or the threat thereof, of any person or group(s) of persons, whether acting alone or on behalf of or in connection with any organization(s) or government(s), committed for political, religious, ideological or similar purposes including the intention to influence any government and/or to put the public, or any section of the public, in fear.

This also excludes loss, damage, cost or expense of whatsoever nature directly or indirectly caused by, resulting from or in connection with any action taken in controlling, preventing, suppressing or in any way relating to any act of terrorism.

If the underwriters allege that by reason of this exclusion, any loss, damage, cost or expense is not covered by this insurance the burden of proving the contrary shall be upon the insured.

In the event any portion of this endorsement is found to be invalid or unenforceable, the remainder shall remain in full force and effect.

IV. Property Excluded

A. This Policy does not cover:

1. Land, land values, soil, water, air, or any interest or right therein.
2. **Building(s)** and other structures used in whole or in part for any commercial, farming or manufacturing purposes, other than residences on the **premises** held for rental.
3. Mobile homes; but this exclusion does not apply to modular or manufactured housing permanently attached to foundations.
4. Paved areas, including but not limited to parking lots, terraces, driveways, walkways, sidewalks, pavements, paths, curbing and swimming pools.
5. Bridges, steps and stairs; wharves, piers and jetties, unless physically attached to any **building(s)**.
6. Retaining walls whether or not necessary for the continuing stability of any part of the **premises**, and whether or not attached to any **building(s)**.
7. Fences; embankments and earthen structures, tanks, wells, ponds, dams, and dikes.
8. Trees, shrubs, lawns, plants, landscaping costs, animals, birds or fish.
9. Any aircraft or other aerial device, watercraft and their trailers, motorized and non-motorized vehicles other than motorized equipment used to maintain the **premises**.
10. Accounts, bills, currency, money, medals, notes, credit cards, securities, deeds, bullion, books of account, evidences of debt or title, manuscripts, passports, tickets, stamps and valuable papers.
11. Jewellery, watches, precious stones, precious metals, silverware, silver-plated ware, gold-ware, gold-plated ware, and pewter ware, fine art, objects d'art, firearms, sculpture and statuary, furs and garments trimmed with fur.
12. Loss or damage to the basement and/or real property and **personal property** suffering loss or damage within the basement where the basement has not been declared within the Policy Application for this insurance.

#3

SPECIMEN

From: Jackie Goodman <jackie@huggins.com>
To: britenshin <britenshin@aol.com>
Subject: RE: Landslide and earthquake quote
Date: Wed, Oct 28, 2015 11:20 am

Hello Christine and John,

I received a response from the Underwriter and I am sorry to tell you that your application has been denied. Unfortunately you are ineligible for landslide coverage at this time. The comments from the Underwriter indicate the risk is surrounded by 6 large landslides and a recent fan of debris. The Catcoverage.com market is the only market that we have available for this type of coverage.

I am so sorry that I am unable to assist you. If you have any questions or concerns, please let me know.

Kindly,

Jackie Goodman
Account Manager
Huggins Insurance Services
jackie@huggins.com

#4

Subj: **Re: Thayer Road in Oregon City**
Date: 11/19/2007 6:20:35 A.M. Pacific Standard Time
From:
To:

Christine - great to hear from you!! Keep working at getting the county to change - it takes time! The Thayer Road problem is a big one - that slide keeps creeping. The road will not take large amounts of traffic and they definitely should not build on the site! Thanks for keeping me up on these things! Good luck,

Scott Burns, PSU Geology

Quoting Britenshin@aol.com:

> Dr. Burns: I was speaking with Sha Spady last week regarding the large
> landslide area on Thayer Road which sinks every year. Sha told me that you
> were recently here to inspect this part of the road and that I should
> contact you
> for your thoughts and concerns about this area.
>

#5

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

#6

Oregon City Planning Commission hearing of September 23rd, 2019

OREGON CITY TRAIL NEWS

Since April of 1996 until the Fall issue of this year, 2019 – There have been many articles in the Trail News on.....

City Sewers
City Streets
National Night Out
City Heritage Day
Water Safety
Stormwater Master Plan Update
Construction Projects
Many articles on living in the flood plain
Many articles on flood insurance
Many articles on the BRCP
The Pioneer Center

BUT
NEVER ONE ARTICLE EVER IN THE PAST 23 YEARS
ABOUT LANDSLIDES!!!!!!

Both Land Use Goals 7 and 2, as well as Oregon Statutes Chapter 195 – Local Government Planning Coordination – Section 195.260. All of these State laws call for local governments to educate their people about the risks of Landslides.

The people of Oregon City must know who to call, where to go for help when noticing things like cracks in their foundations, windows that won't go up or down due to shifting, cracks appearing in their ceilings, floors that begin to tilt and become unlevel. The people of Oregon City must be educated in reading the DOGAMI Lidar Landslide Maps, if they have questions, the City must be ready with answers and with help.

This is simply awful that Oregon City, with some of the worst topography in the State, has not reached out to their people through the Trail News, through newspaper articles, through mailers, through classes held within the community on the dangers of Landslides, Earthquakes and they must know about Emergency preparedness and the fact that Landslide Insurance does not exist at this time in the U.S. and that the Homeowner is responsible for all damages.

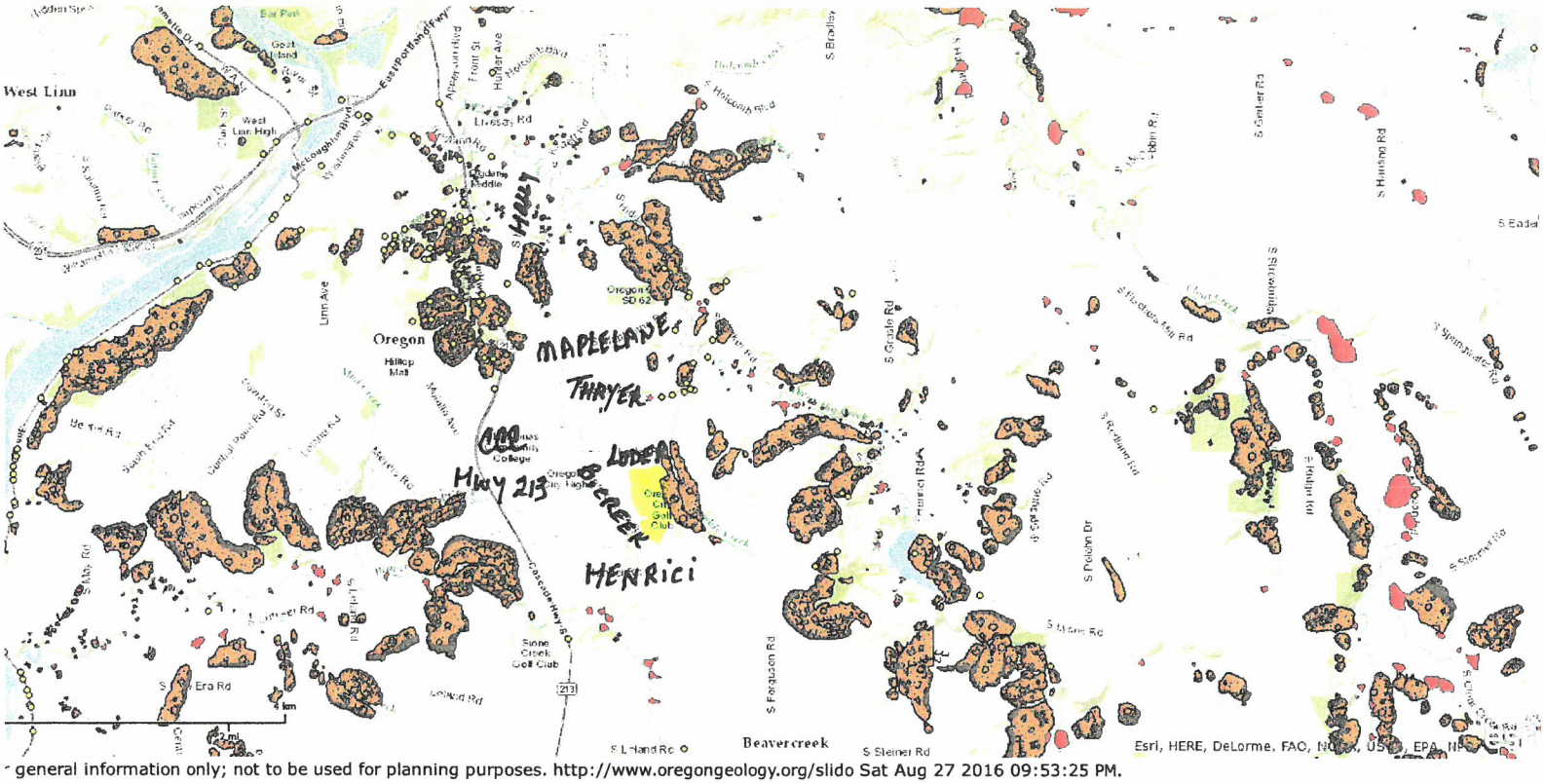
Oregon City has been derelict in it's duties to protect the lives and property of it's people, and must, by State law, begin an intensive plan to educate their people into the dangers and hazards of living in a landslide area, of which Oregon City is highly comprised of – difficult topography.

Christine Kosinski

#7

Map from DOGAMI's SLIDO Viewer

olly Ln & Hwy 213 Landslides



- general information only; not to be used for planning purposes. http://www.oregongeology.org/slido Sat Aug 27 2016 09:53:25 PM.

#8

Planning Commission Meeting of Oct. 14, 2019-10-14

Testimony from Elizabeth Graser-Lindsey

I am grateful the Planning Commission requested further delving into cottage industry as the city commission requested some years ago and I appreciate the research and thought the staff has given the issue.

Oregon City is a middle-sized city, the county seat, the home of Clackamas Community College, a large and growing education center and a bedroom city for the region. Most residents have to commute to cities with more abundant jobs since Oregon City has a particularly-low jobs-to-housing ratio. All this driving by Oregon City commuters and people living further out to get to distant jobs causes traffic congestion. Because, currently the city's home occupation code is very limiting, it leads to potential city entrepreneurs, who are starting urban-connected businesses, to live in the rural area where the conditional use code is more permissive when the city won't let them in. This restrictiveness also leads to business income benefitting other local governments rather than Oregon City. The city should not lack a neighborhood where people can be industrious and start a business from their home. ~~You'd fill a pad of paper with all the home-occupation permits issued outside the city for city-related jobs. In my area~~

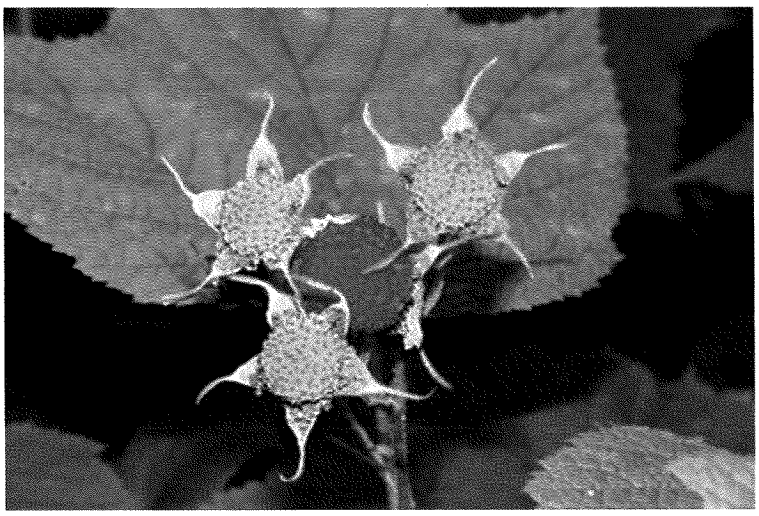
Oregon City needs to give its motivated and talented residents of ordinary means the opportunity to innovate, be productive, generate wealth, and grow a successful business in the spectrum of urban activities that serve cities. Even the proposed changes -- to establish a unique Beavercreek Road Concept Plan area home occupation code -- just cracks the door open a little. It still leaves many occupations for people to pursue somewhere else. This includes the would-be up-and-coming landscapers, the forklift business, the dump truck business, the caterer, the welder, the car repairer, the construction contractor, the gutter installer, the plumber, and so forth.

The Beavercreek Road Concept Plan area was brought into the Urban Growth Boundary for industry, to solve the shortage of family-wage jobs in the city and region; LUBA's remand confirmed that this is true. Oregon City still needs the jobs; it still needs the business revenue; and it needs relief from excess commuting impacts on its roads whether from its own residents or commuters from further out passing through to the good jobs. It's not enough to try to attract successful businesses to Oregon City.

Fully open up Oregon City to the city's own residents being the spark plugs of innovation, productivity and wealth-generation that power the city into the future.

These people need all the opportunities it takes to operate varied businesses – a few employees, a bit of sales and traffic, storage, business vehicles, out-growing invisibility. Instead of seeing industry and its evidences as a problem, embrace industry and see how code needs to be addressed to make industry a good neighbor. Maybe there can be a place for a bit of sound and storage, especially when all the home buyers are attracted to the opportunity. Why doesn't the city interview its own citizens participating in business to see what is necessary for success for a range of businesses? Maybe the Chamber of Commerce could help.

The Thimble Creek Concept Plan name has the advantages of being unique and connecting with the common thimble berry of our area.



Clackamas River Water

MEMO

To: Laura Terway, Community Development Director, Oregon City

cc: files

From: Joseph D. Eskew, Engineering Manager

Date: 7/12/2019

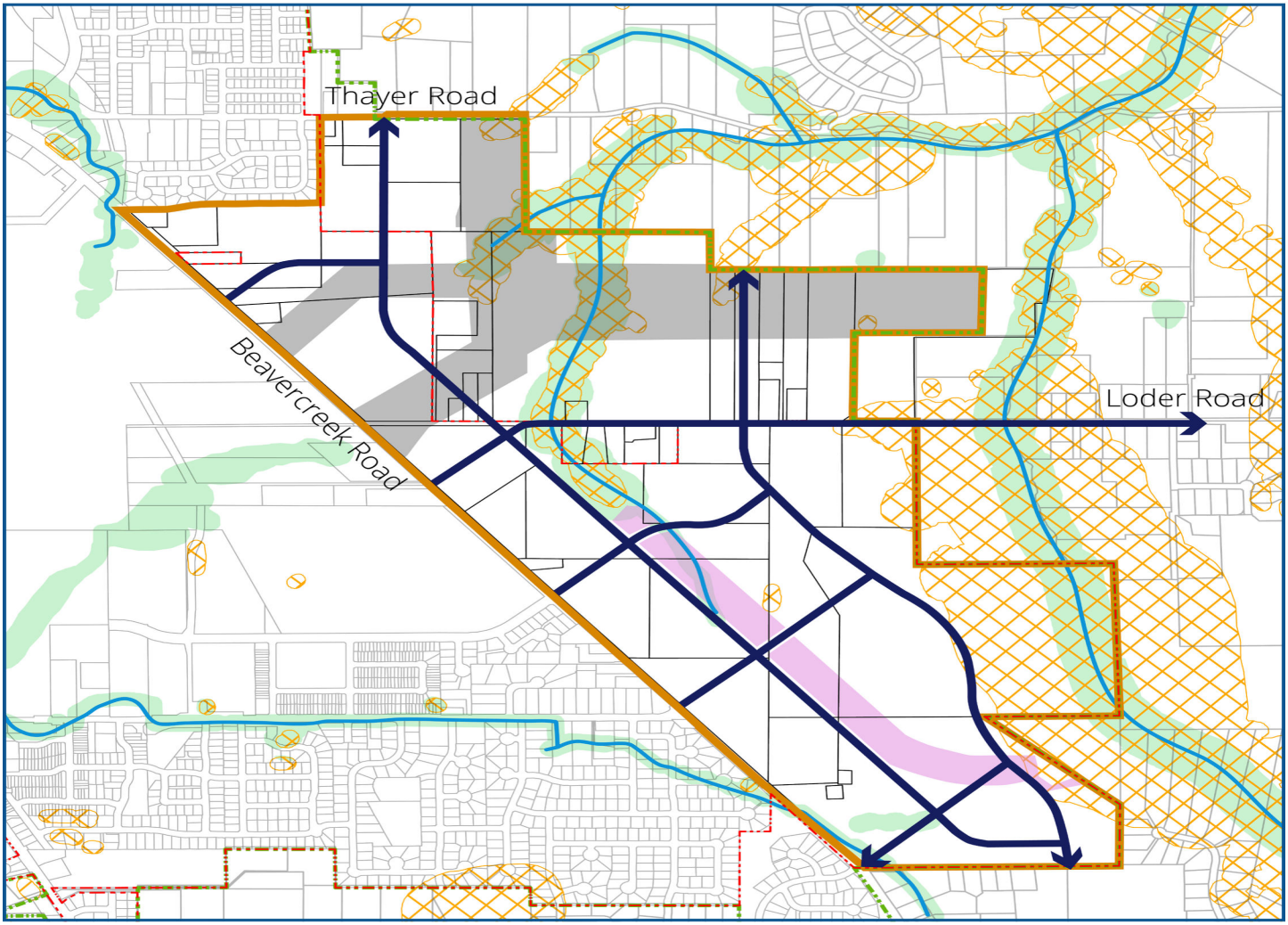
RE: *Beavercreek Road Concept Plan – CRW Comments*

Thank you for this opportunity to provide comments regarding the Beavercreek Road Concept Plan and how Clackamas River Water (CRW) will be affected.

The area of interest (the Area) is located east of Beavercreek Rd, south of Thayer Rd and north of Henrici Rd. The area lies wholly within the Urban Growth Boundary (UGB) and partially within City limits.

Portions of the Area extend into current CRW jurisdictional territory that is served by CRW. Regarding these portions of the Area, CRW provides the following summary comments:

1. Existing CRW customers within the UGB and/or City limits, will remain customers until such time that the City has infrastructure and can provide water service.
2. CRW owns service mains that traverse through the Area to territory outside the UGB. Water mains must remain in service to provide water to customers outside the UGB. CRW is open to discussions regarding alternatives for maintaining service to customers outside the UGB.
3. Territory that is annexed to the City must be withdrawn from CRW and served by Oregon City services to the extent practicable.
4. An Intergovernmental Agreement between CRW and Oregon City, dated October, 13 2016 provides a mechanism to serve CRW water within Oregon City limits, on a limited basis, through a master meter for water sales to Oregon City. The IGA is focused specifically to provide interim water service for the proposed "Villages at Beavercreek" development. This agreement is in force and will be honored.
5. CRW lacks required storage and infrastructure to increase the amount of water sales for additional development over the flow rate designated in the IGA.
6. CRW assumes that future development will, in large part, be guided and coordinated consistent with the concepts provided in the Joint Engineering Study, June 11, 2018, by Murraysmith.



0′ 1,200′ 2,400′

N

Legend

Natural Resources Overlay District (NROD)

Geologic Hazard Overlay District (GHOD)

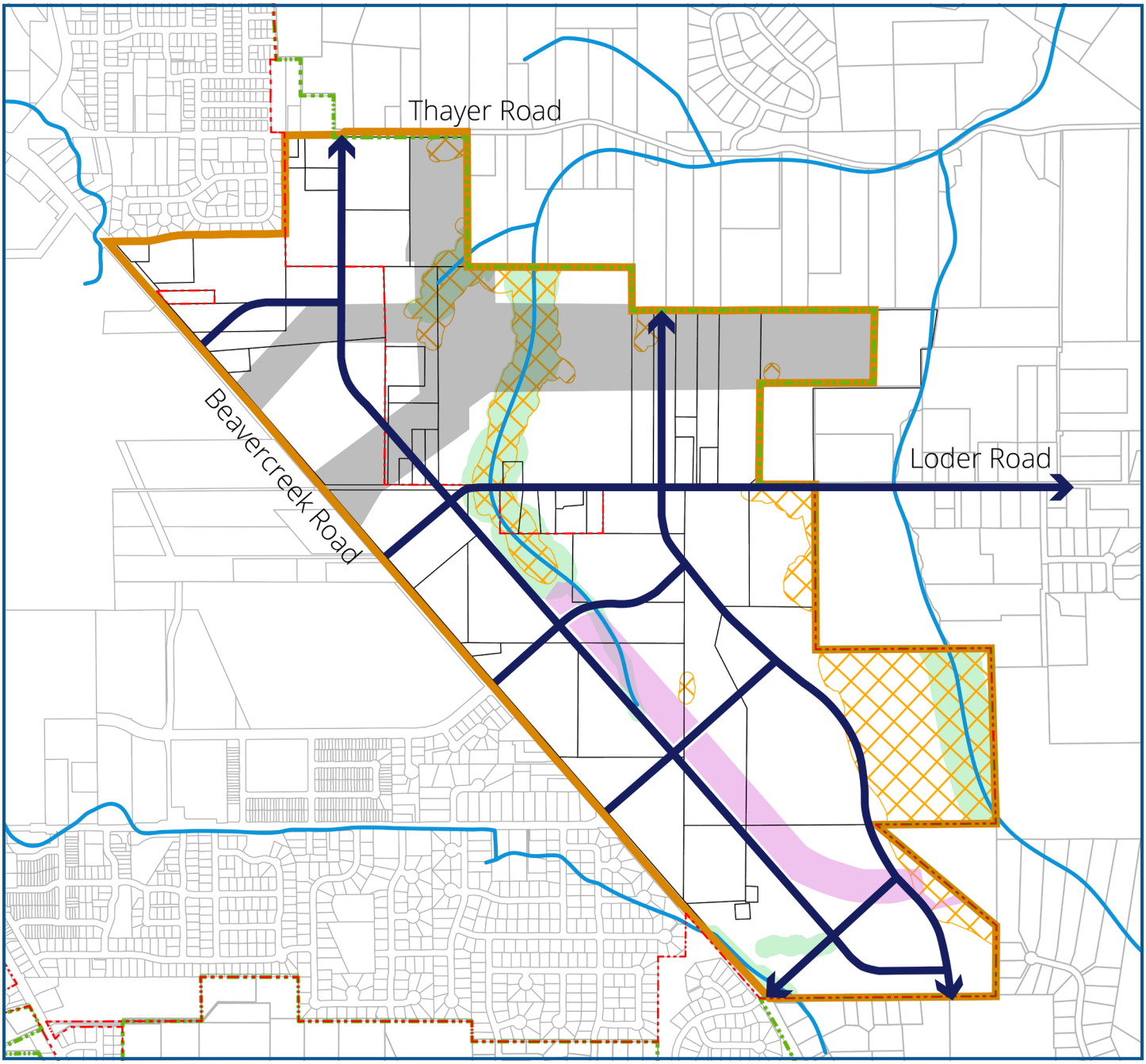
BRCP Boundary

Urban Growth Boundary

City Limits

Beavercreek Road Concept Plan

Development Constraints



Legend

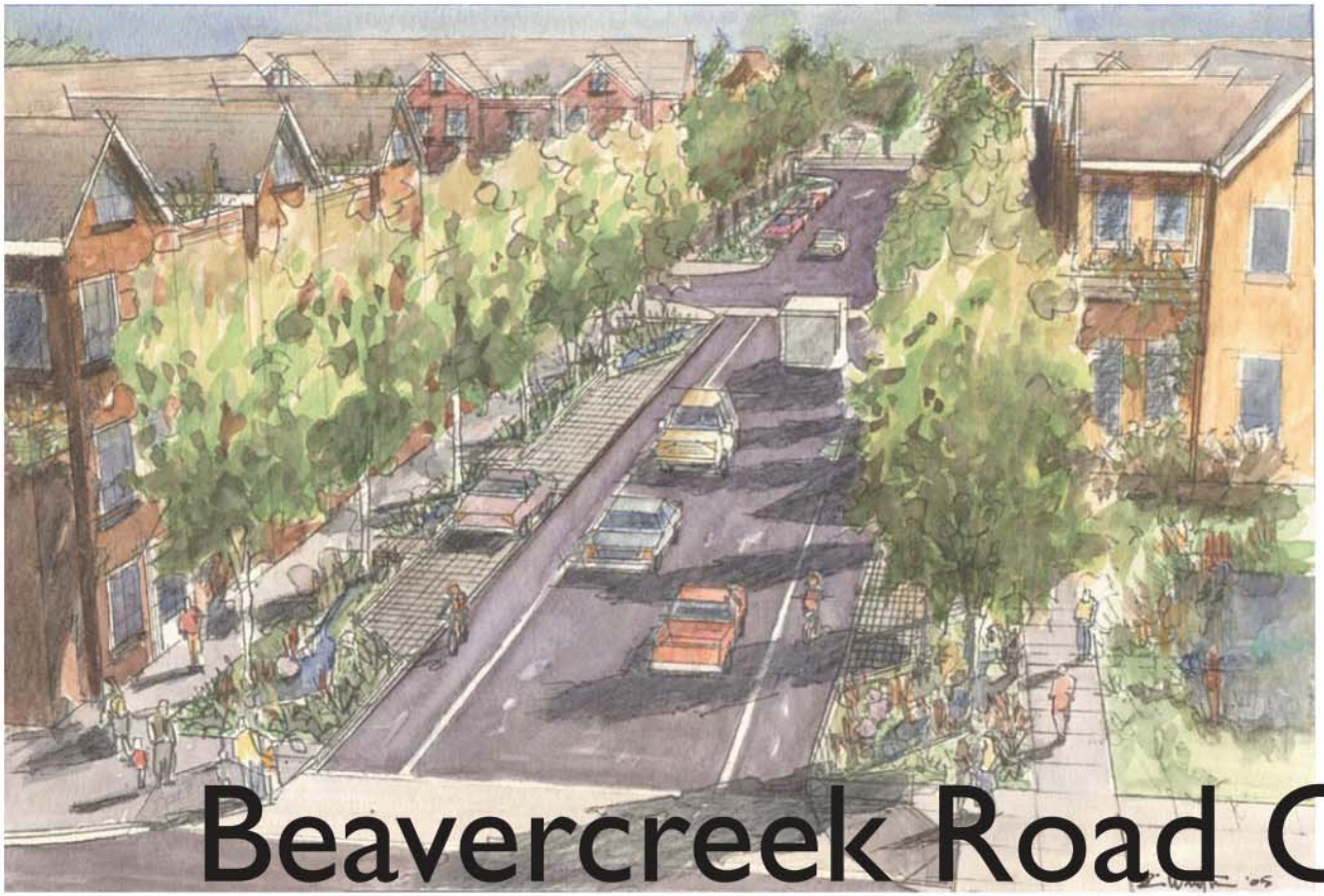
- Natural Resources Overlay District (NROD)
- Geologic Hazard Overlay District (GHOD)
- South-Central Open Space Network
- Powerline Corridor

N

0′ 1,200′ 2,400′

- BRCP Boundary
- Urban Growth Boundary
- City Limits
- Conceptual Road Network
- Streams

Meeting #2 - April 9, 2019



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Concept Plan Report, Summary and Recommendations

Final Plan August 2008

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

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Lower, left – illustration by Laurence Qamar

Lower, center – photo by Otak, Inc.

Lower, right – illustration by Jim Longstreth

Beavercreek Road Concept Plan

Summary and Recommendations

Final Plan - August 2008

Funding provided by:

City of Oregon City

Oregon Department of Transportation -
Transportation and Growth Management Program

Consultant Team

ECONorthwest

Environmental Sciences Associates, Inc.

Jeanne Lawson Associates

Kittelson and Associates

Otak Project No. 13599

Project Participants

Citizen Advisory Committee

Dave Prideaux	Natural Resources
Elizabeth Graser-Lindsey	The Hamlet of Beavercreek
Dan Lajoie	Planning Commission
Mike Riseling	Oregon City School District
Mary Smith	Transportation Advisory Committee
Bill Leach	Clackamas Community College
Lynda Orzen	Resident, Caufield Neighborhood
Ron Estes	Resident, Caufield Neighborhood
Rose Holden	Property Owner, Oregon City Golf Course
Ken Allen	Development Interest, Representing Hall family
Richard Mudgett/ Patty Jacobs (alt)	Representing Hall family
Phil Gentemann	Development Interest, Property Owner
Renate Mengelberg	Clackamas County, Economic Development
Beverly Thacker	State of Oregon, Economic Development
Amber Holveck	Oregon City Chamber of Commerce, Business
Doug Neeley	Transportation Advisory Committee

Technical Advisory Committee

Ray Valone	Metro
Ben Baldwin	Tri-Met
Gail Curtis	Oregon Department of Transportation
Stacy Humphrey	Department of Land Conservation and Development
Joe Marek	Clackamas County Transportation
Nancy Kraushaar	Oregon City Public Works Department
Renate Mengelberg	Clackamas County
Lorranine Gonzales	Clackamas County
Dan Drentlaw	Oregon City Community Development

City Staff

Dan Drentlaw, Community Development Director
Tony Konkol, Senior Planner and City Project Manager
Nancy Kraushaar, Public Works Director
Laura Butler, Planner

Consultant Team

Otak

Joe Dills, AICP, Project Manager
Michelle Stephens, Planner
Kathryn Yagodinski, Project Assistant
Martin Glastra van Loon, Urban Designer
Chunlin Yang, Urban Designer
Del Leu, GIS
Dan Antonson, GIS
Jerry Markisino, PE, Engineer
Amanda Owings, PE, Engineer
Kevin Timmins, PE, Water Resource Engineer
Mandy Flett, Planner

ECONorthwest

Terry Moore
Anne Fifield
Sarah Graham
Radcliffe Dacanay
Jacob Holcombe

Environmental Sciences Associates

Wallace Leake

Kittelson and Associates

Phillip S.D. Worth
Nick Foster

Jeanne Lawson Associates

Kristin Hull
Kalin Schmoldt

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Appendix

1. Project Goals with Objectives, March 13, 2007
2. Concept Plan Alternatives
3. GIS Analysis Map
4. Job and Housing Estimates

Technical Appendix (Under Separate Cover)

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

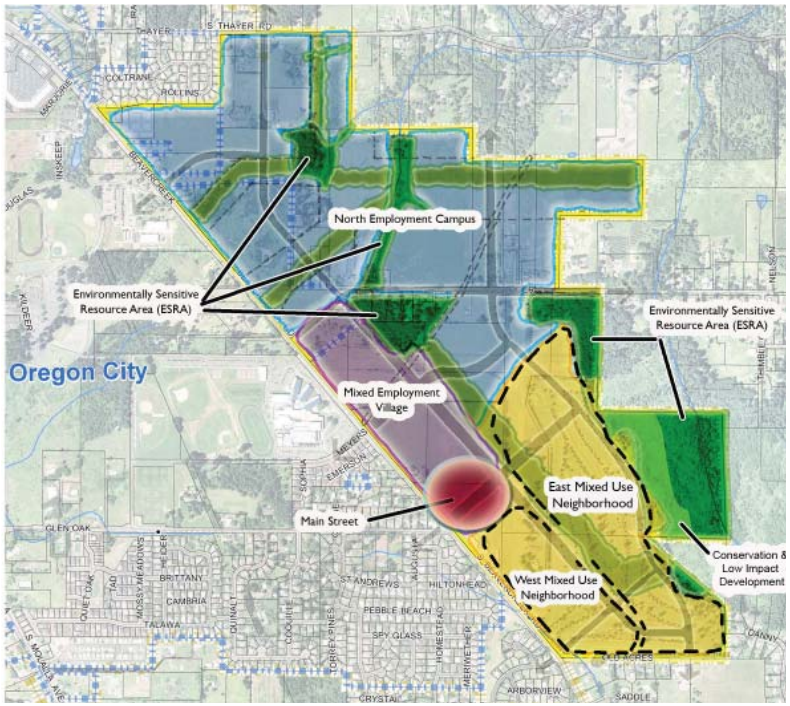
I. Introduction

Summary

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

Key features of the Concept Plan are:

- *A complete mix of land uses, including:*
  - A North Employment Campus for tech flex and campus industrial uses, consistent with Metro requirements for industrial and employment areas.
  - A Mixed Employment Village along Beavercreek Road, between Meyers Road and Glen Oak Road, located as a center for transit-oriented densities, mixed use, 3-5 story building scale, and active street life.
  - A 10-acre Main Street area at Beavercreek Road and Glen Oak Road, located to provide local shops and services adjacent neighborhoods and Beavercreek sub-districts.
  - A West Mixed Use Neighborhood along Beavercreek Road, intended for medium to high density (R-2) housing and mixed use.
  - An East Mixed Use Neighborhood, intended for low density residential (R-5) and appropriate mixed use. The East Neighborhood has strong green edges and the potential for a fine grain of open space and walking routes throughout.



Proposed Land Use Sub-districts

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

Purpose of this Report and Location of Additional Information

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

Beavercreek Road Concept Plan Area - Existing Conditions

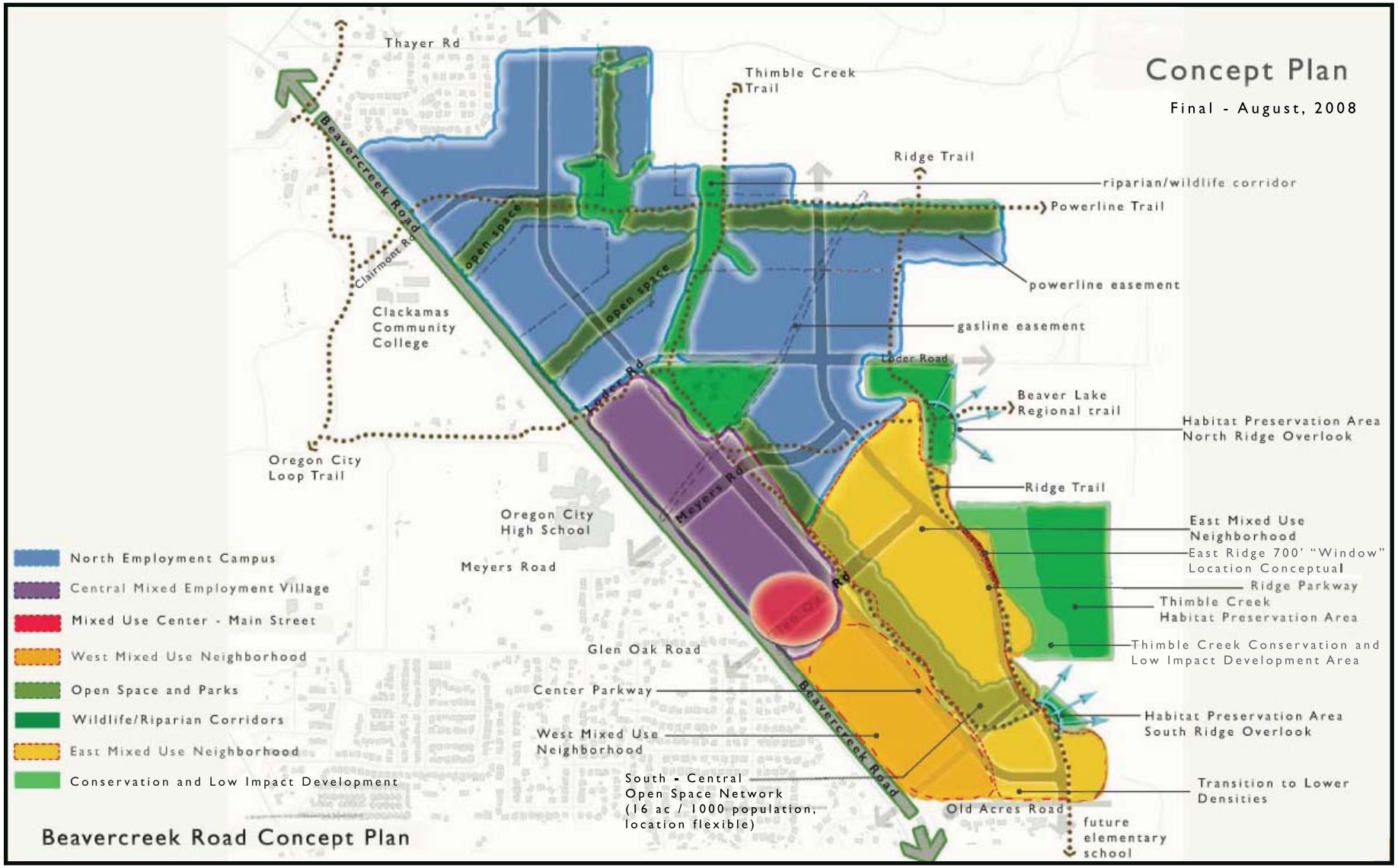


Figure 1 - Composite Concept Plan

II. Purpose and Process

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

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

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

Design Workshop Participants

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

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

The major steps in the process were:

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

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

Design Workshop Plan

III. Vision, Goals and Principles

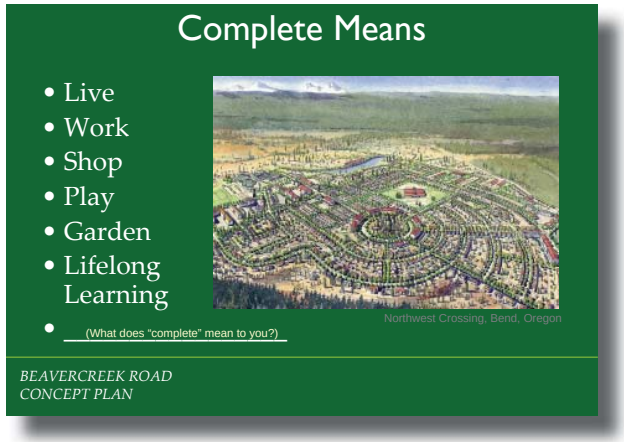
The overall vision for the Beavercreek Concept Plan is to create "A Complete and Sustainable Community". The images shown on this page were displayed throughout the process to convey the project's intent for this vision statement.

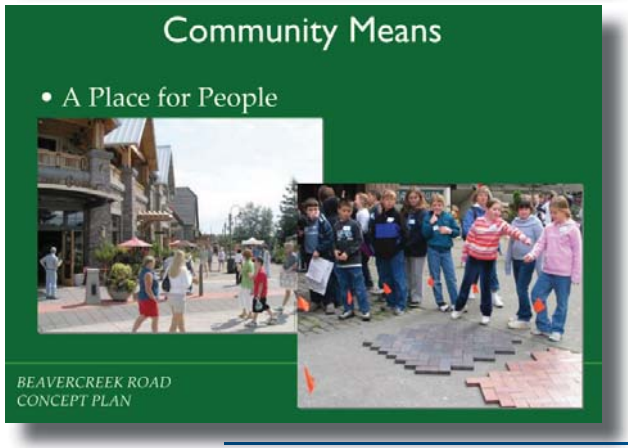
Regarding the meaning of sustainability, the vision statement is based in part on the definition of sustainability originally developed by the United Nations Brandtland Commission: "A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their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

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

The Beavercreek Road Concept Plan Area will:

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





- Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;
- Promote connections and relationships with Oregon City High School and Clackamas Community College;
- Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability; and
- Ecological Health – Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

The following 10 Principles of Sustainable Community Design were submitted by a CAC member, supported by the committee, and used throughout the development of the Concept Plan:

1. Mix Land Uses - Promote a mix of land uses that support living wage jobs and a variety of services.
2. Housing Types - Create a range of housing choices for all ages and incomes.
3. Walk-ability - Make the Neighborhood "walkable" and make services "walk-to-able."
4. Transportation - Provide a range of transportation options using a connected network of streets and paths.
5. Open Space - Protect and maintain a functioning green space network for a variety of uses.
6. Integrate Systems - Integrate ecological and man-made systems to maximize function, efficiency and health.
7. Watershed Health - Manage water resources on site to eliminate pollution to watershed and lesson impact on municipal infrastructures.
8. Reuse, Recycle, Regenerate - Reuse existing resources, regenerate existing development areas
9. Green Buildings - Build compact, innovative structures that use less energy and materials
10. Work Together - Work with community members and neighbors to design and develop.

Thimble Creek Tributary

gional and Local Context

ercreek Road Concept Plan area is 453 acres of land located
theast edge of Oregon City and the Urban Growth Boundary
marks a transition point between the City's current edge of
on and rural and resource lands to the south and east.

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

e update of Oregon City's Comprehensive Plan, a policy was
cknowledging the jobs-related importance of the site to Oregon
he region, while also allowing some flexibility in the project area's
Comprehensive Plan policy 2.6.8 states:

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

There are relatively limited employment centers within this area of
Oregon City and Clackamas County. This imbalance of jobs and hous
contributes to Clackamas County's pattern of approximately 60% of t
work force traveling outside of the County to work.

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

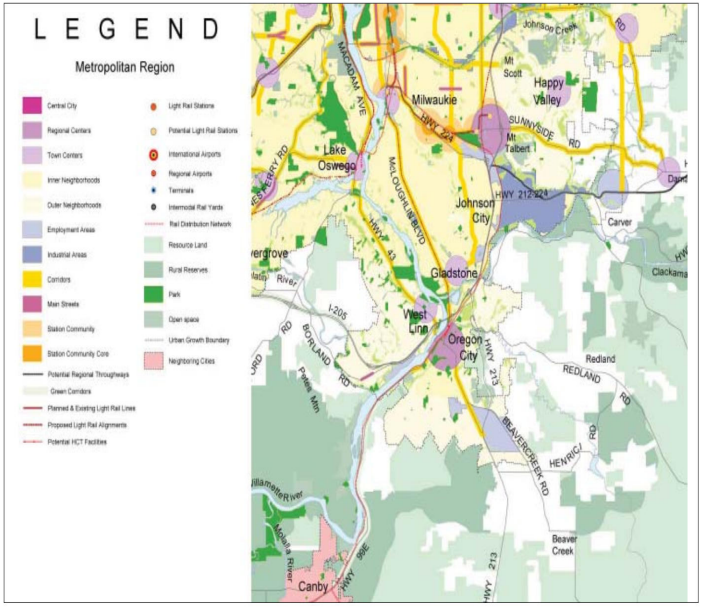


Figure 2 - Regional C

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

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

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

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

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

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

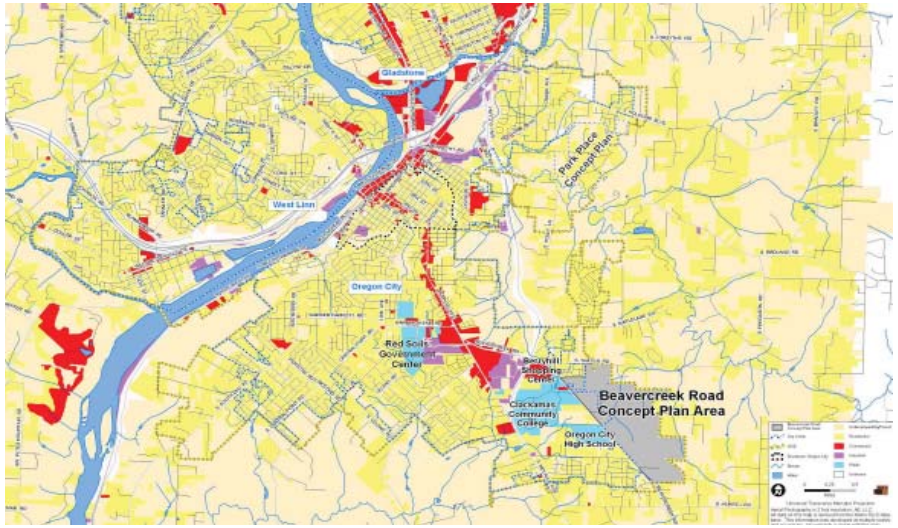


Figure 3 - Oregon City Context

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

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

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

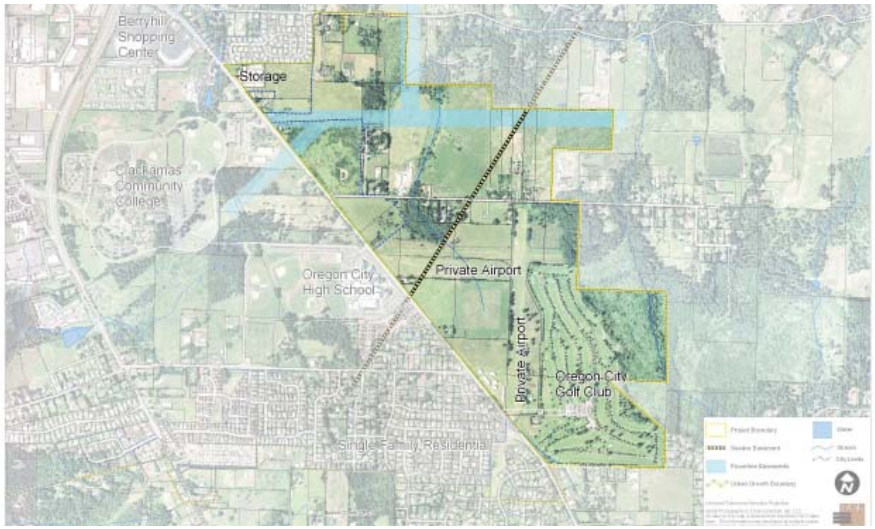


Figure 4 - Existing Conditions

Site Conditions and Buildable Lands

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

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

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

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

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

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

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

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

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

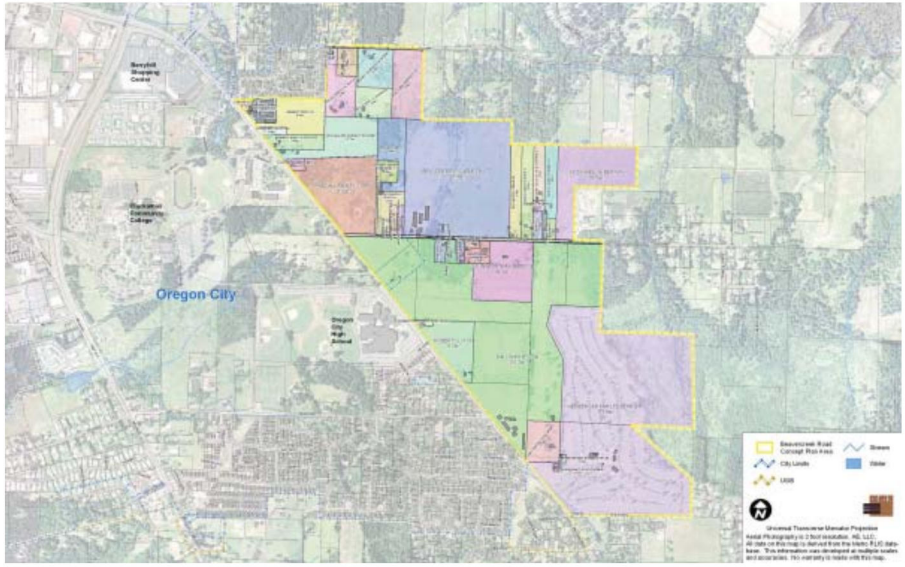


Figure 5 - Ownerships

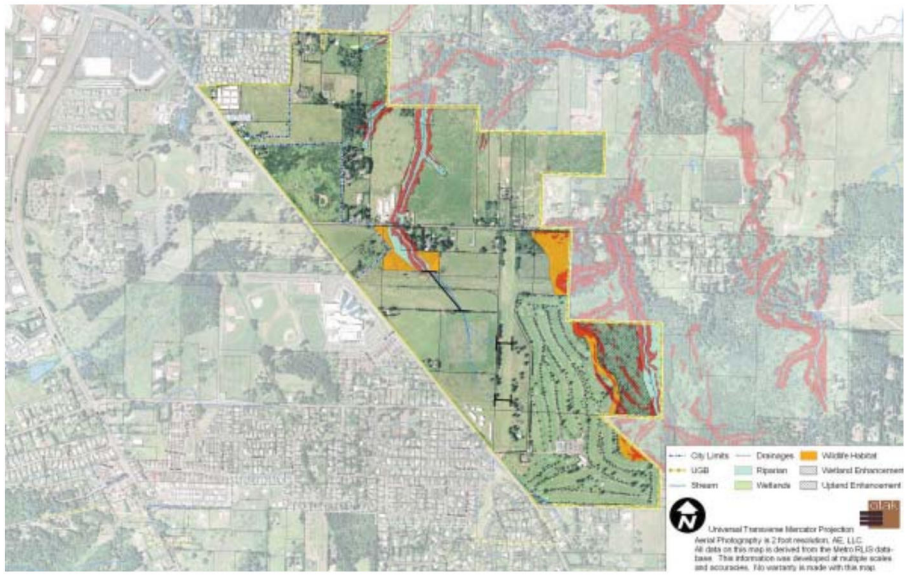


Figure 6 - Natural Resource Inventory

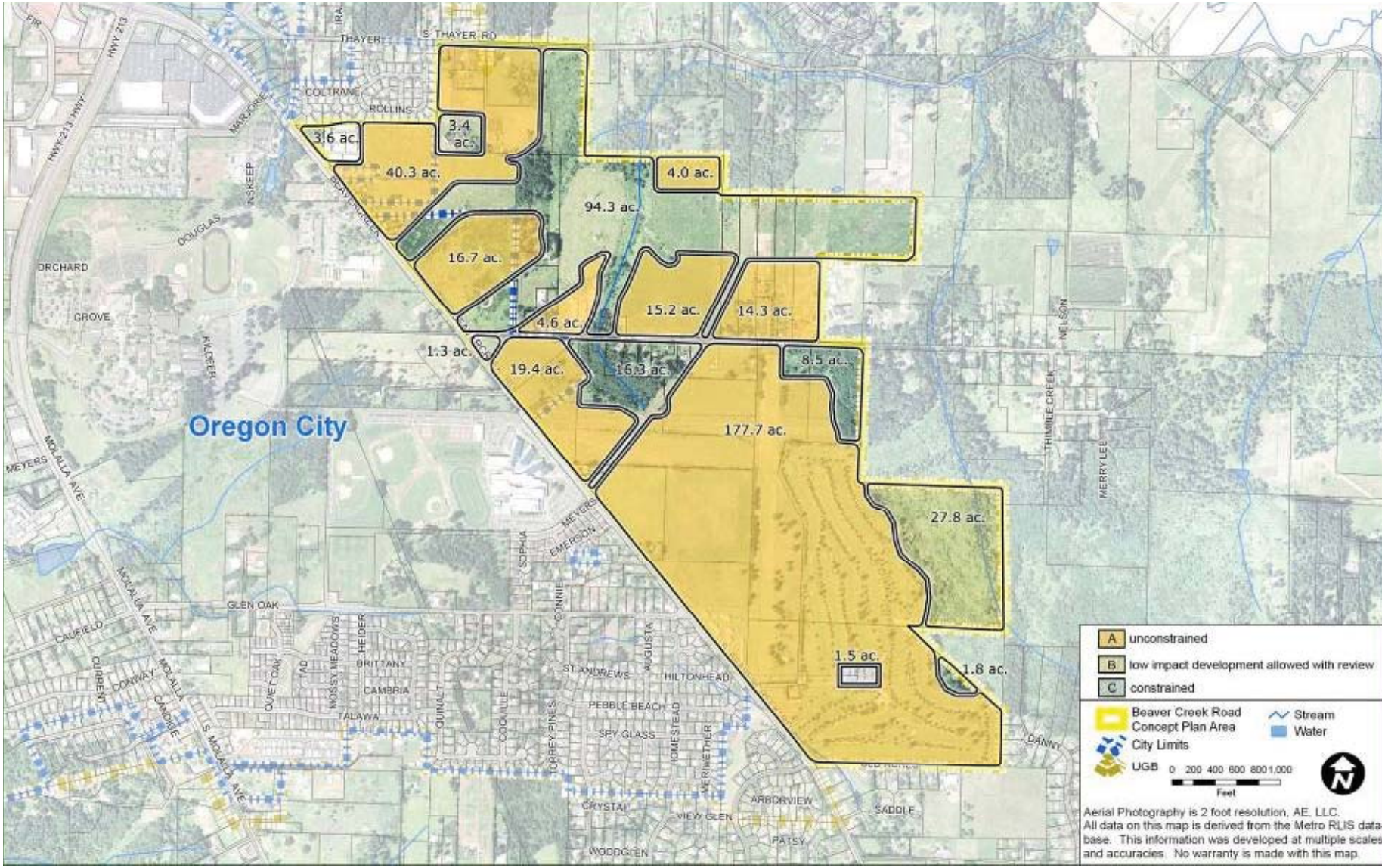


Figure 7 - Buildable Lands

Employment – A Key Issue

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

Oregon City Perspective

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

Metro Perspective

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

Citizen Advisory Committee Perspective

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

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

a. At least one plan alternative will be consistent with the Metro Regional Growth Concept.

b. At least one plan alternative (may be the same as above) would be designed consistent with Policy 2.6.8.

c. Other alternatives would have the freedom to vary from "a" and "b" above, but would also include employment.

d. No alternative would have heavy industrial, regional warehousing or similar employment uses".

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

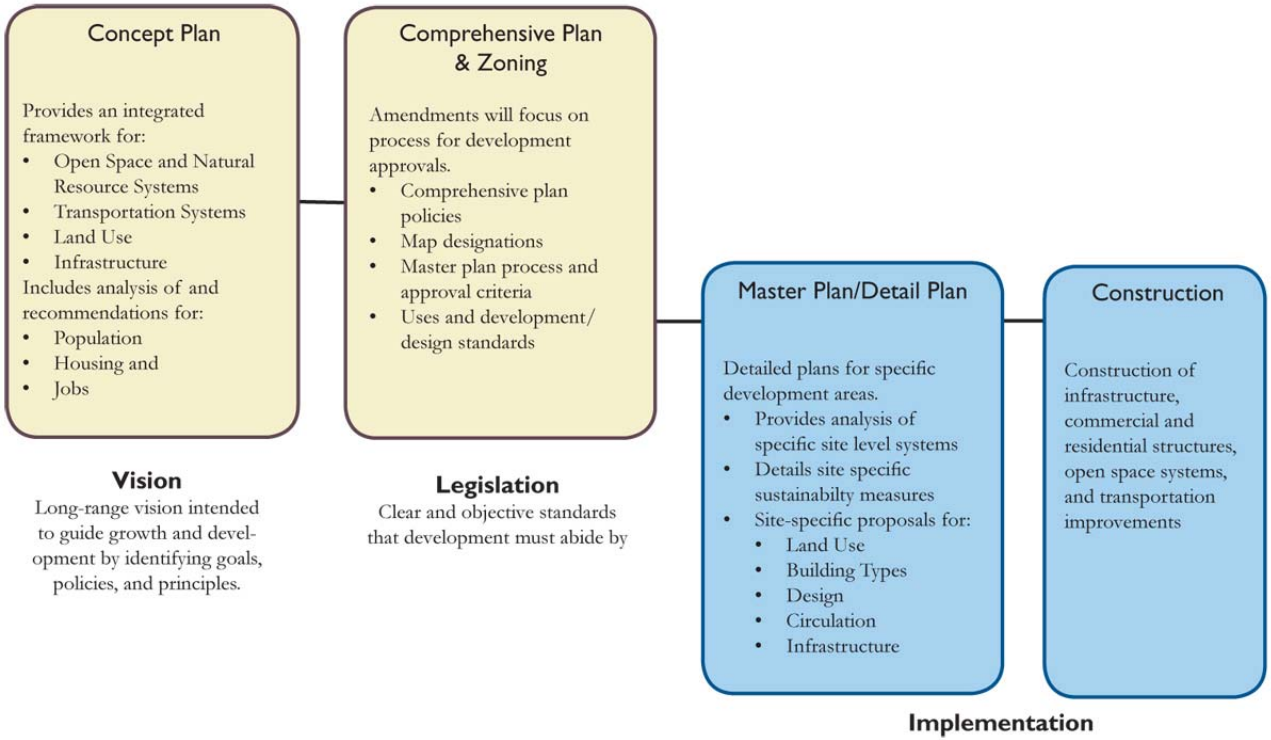
V. Concept Plan Summary

The Framework Plan Approach

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

The framework plan approach is intended to:

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



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

Land Use Sub-Districts

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

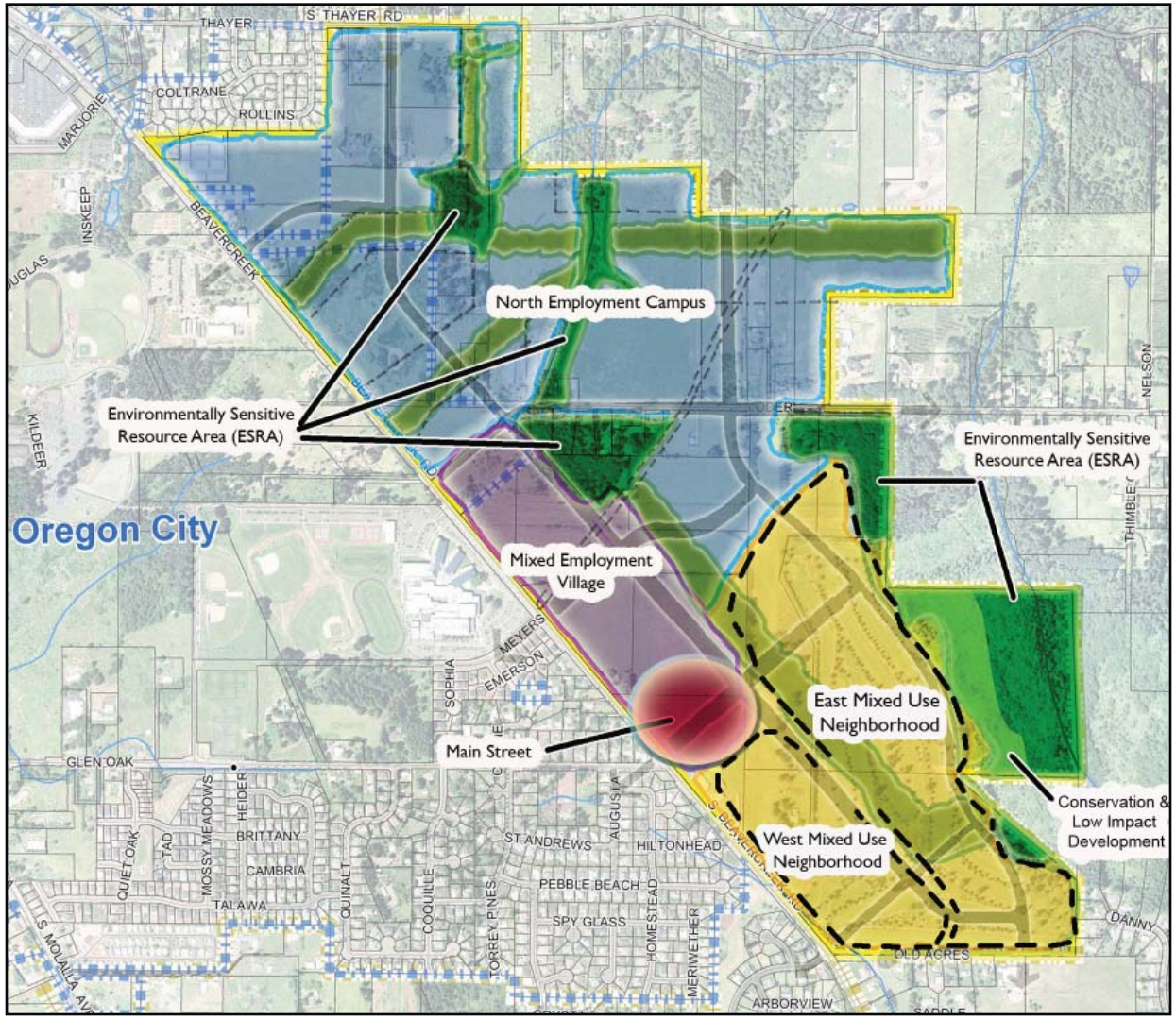


Figure 8 - Land Use Sub-districts

North Employment Campus – NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting incompatible uses. The sub-district is intended to comply with Metro's Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

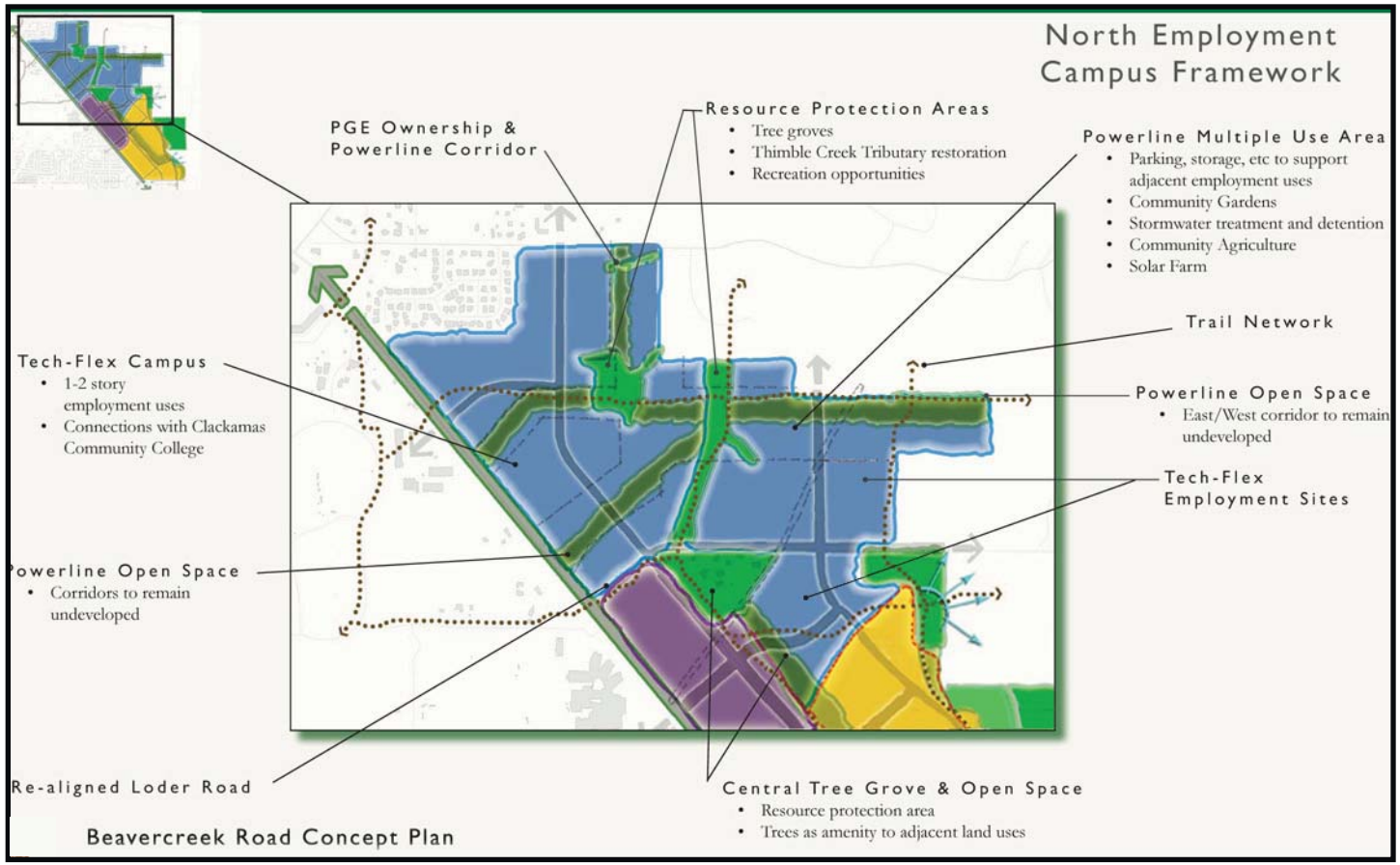


Figure 9 - North Employment Campus Framework

Mixed Employment Village – MEV

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

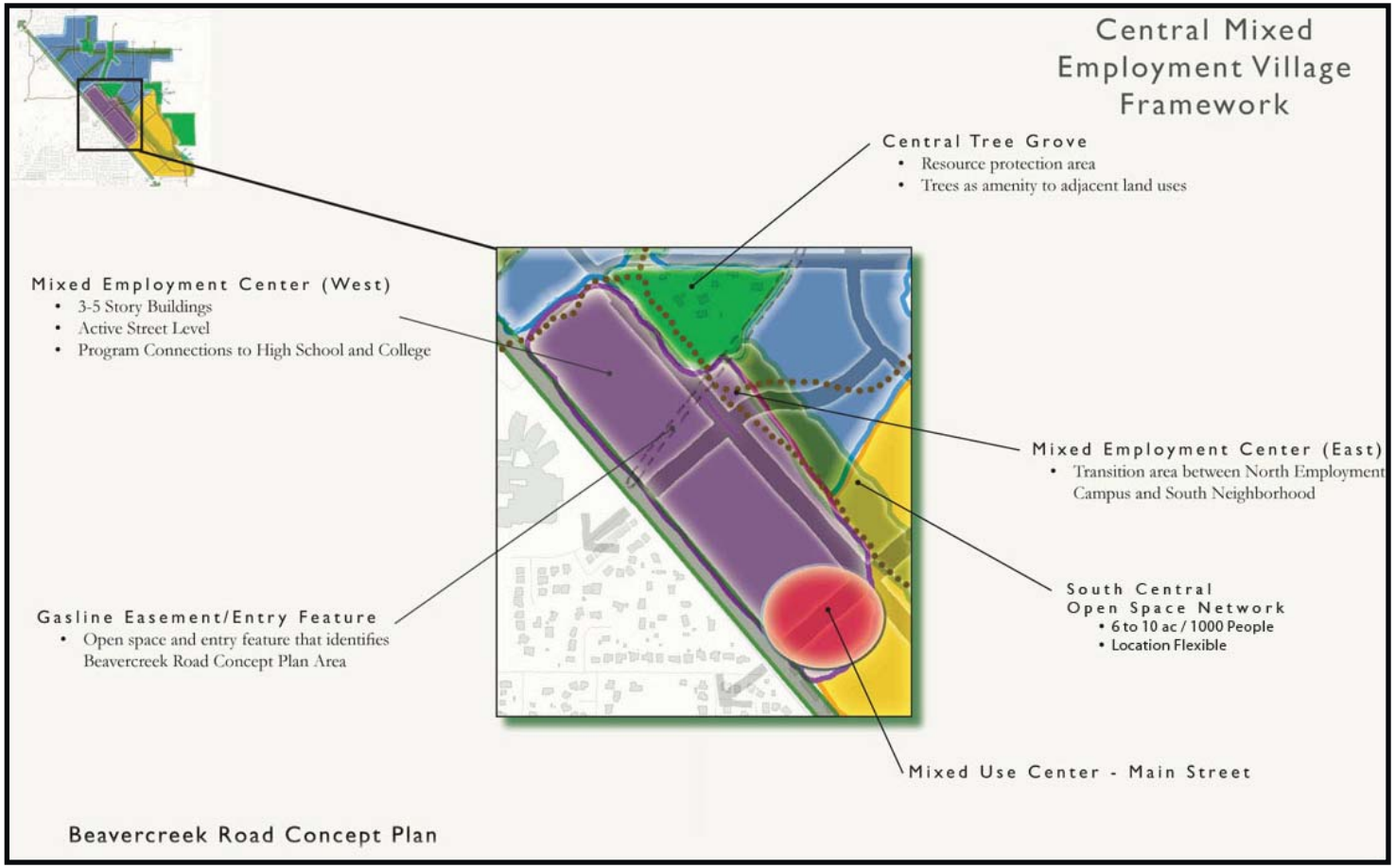


Figure 10 - Central Mixed Employment Village Framework

Main Street – MS

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

Figure 11 - Main Street Framework

West Mixed Use Neighborhood – WMU

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

East Mixed Use Neighborhood – EMU

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

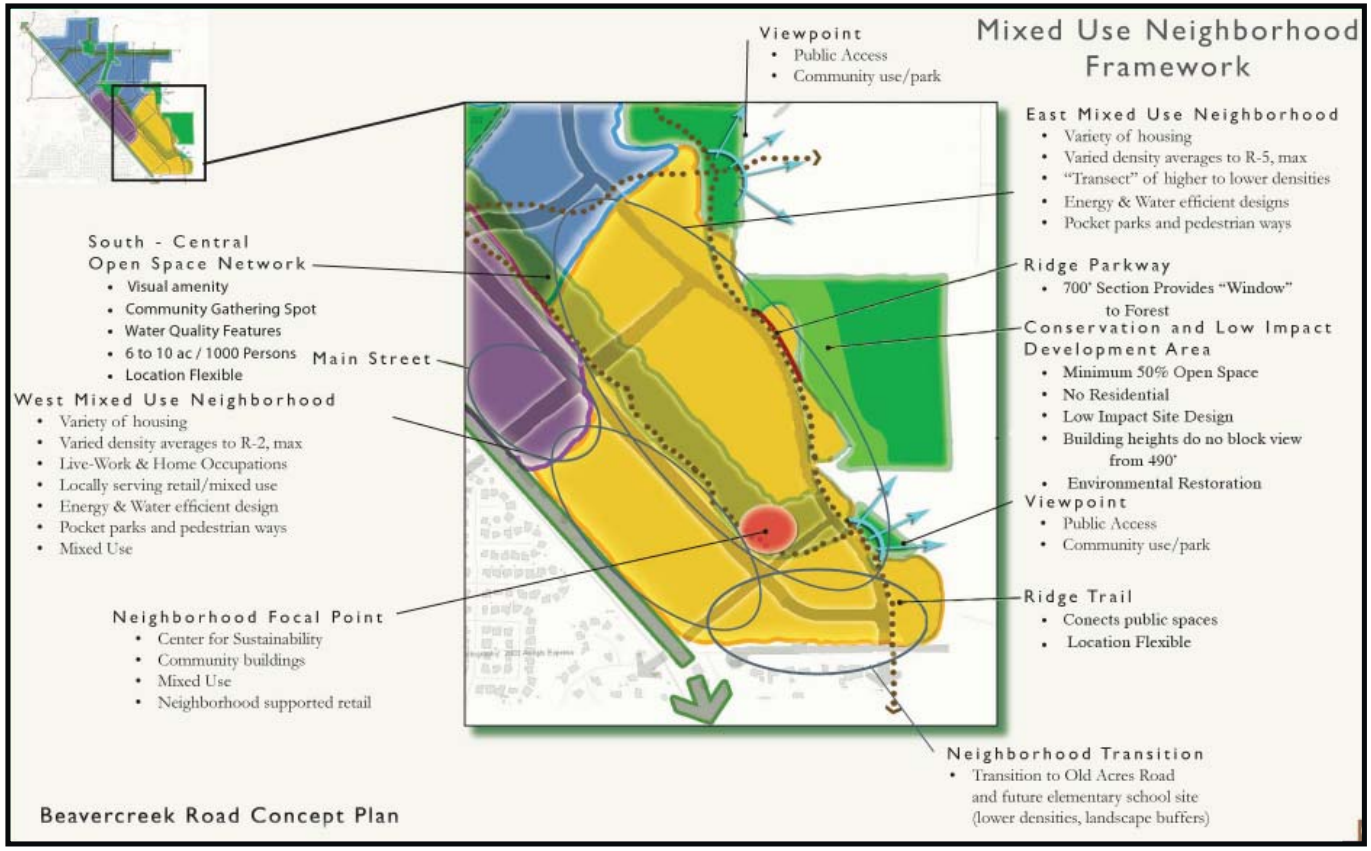


Figure 12 - West and East Mixed Use Neighborhoods

Open Space

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

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

Power Line Open Spaces

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

- Provide publicly accessible open spaces. The implementing code includes a minimum 100 foot-wide open space and public access easement would be required at the time of development reviews, or, obtained through cooperative agreements with the utilities and property owners.
- Provide trails. A new east-west trail is shown on Figure 13 that follows the main east-west corridor. This corridor has outstanding views of Mt. Hood.
- Allow a broad array of uses. Ideas generated by the CAC, and permitted by the code, include: community gardens, urban agriculture, environmental science uses by CCC, storage and other "non-building" uses by adjacent industries, storm water and water quality features, plant nurseries, and solar farms.
- Link to the broader open space network. The power line corridors are linked to the open spaces and trail network in the central and southern areas of the plan.

South-Central Open Space Network

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

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

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

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

East Ridge

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

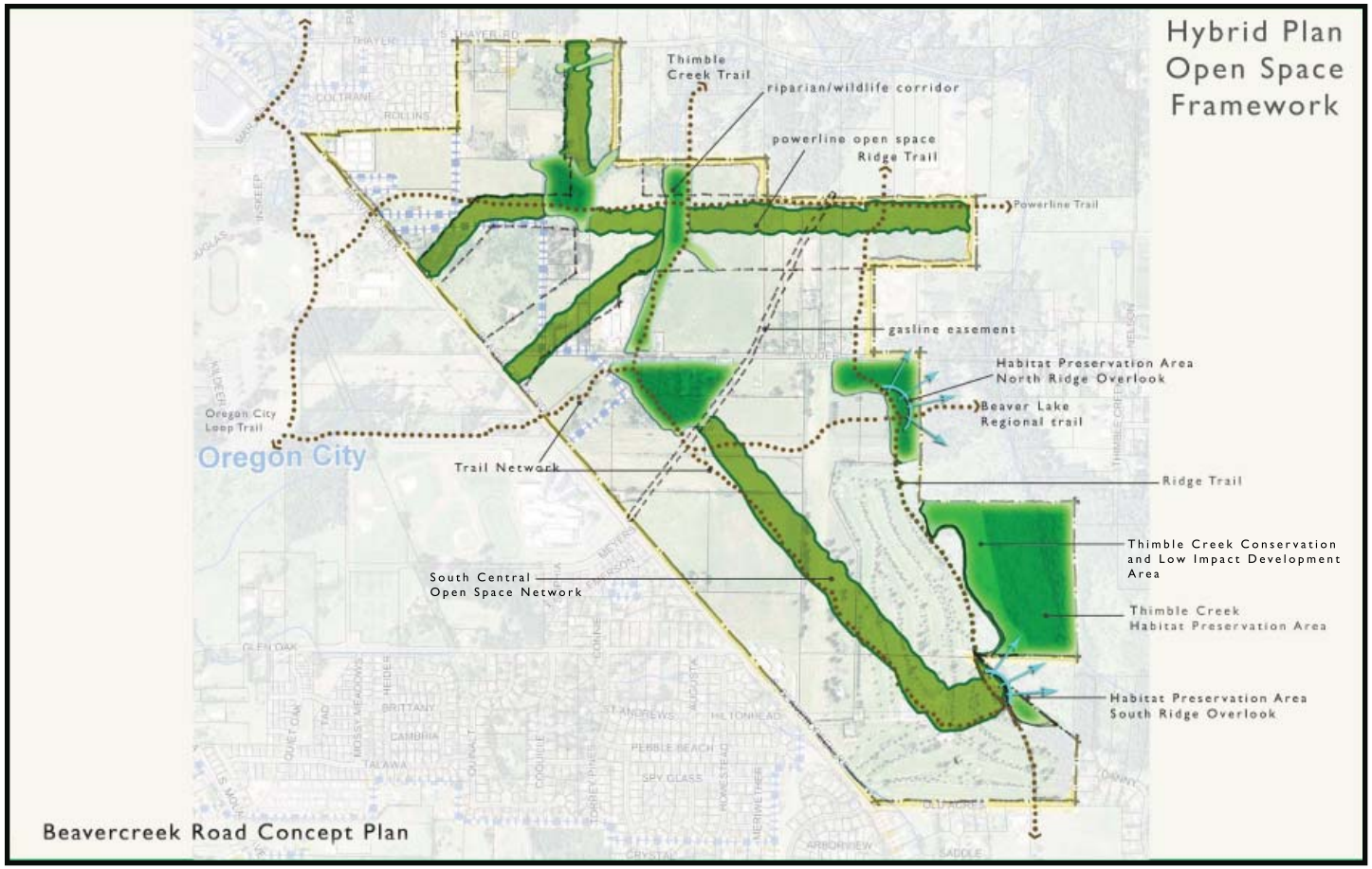
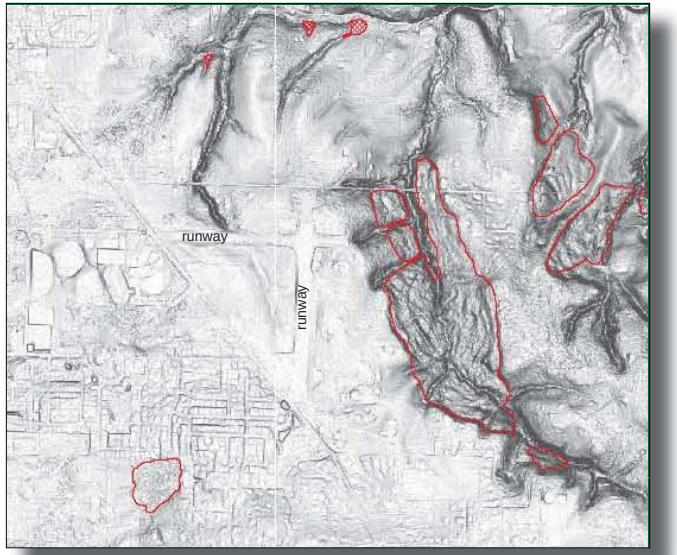


Figure 13 - Open Space Framework



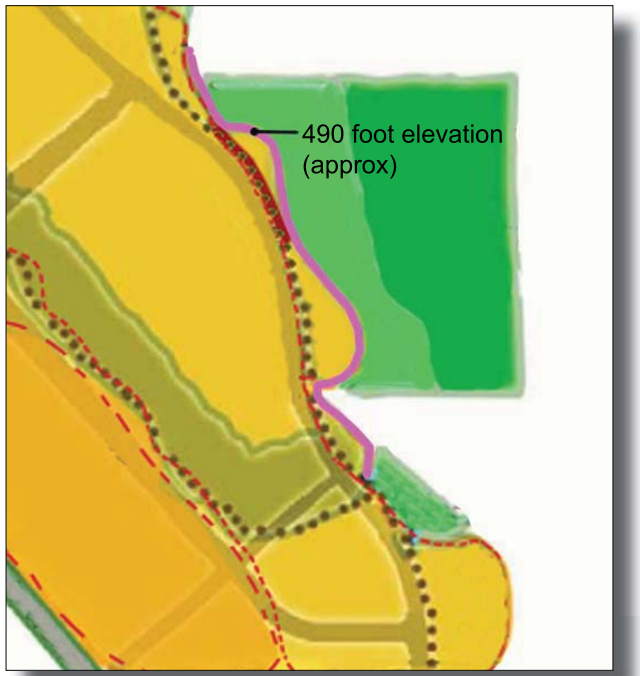


Figure 13A - East Ridge Lidar and 490 foot elevation

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

The plan and code call for:

- Establishing the Class I and II Riparian area (per Metro mapping) plus 200 feet as a protected open space area. No development is permitted, except for very limited uses such as trails.
- Between the west edge of the above referenced protected open space area and the 490 foot elevation (MSL), establish a conservation area within which the following provisions apply:

  a. A minimum of 50% of the conservation area must be open space. No residential uses are permitted.

  b. All development must be low impact with respect to grading, site design, storm water management, energy management, and habitat.

  c. Building heights must not obscure views from the 490 foot elevation of the ridge.

  d. Open space areas must be environmentally improved and restored.
- Establishing a limit of development that demarks the clear edge of urban uses and a "window" to adjacent natural areas. In the central area of the est ridge, the "window" must be a minimum of 700 feet of continuous area and publicly accessible. The specific location of the "window" is flexible and will be establishing as part of a master plan.
- Creating two scenic view points that are small public parks, located north and south of the central area.
- Creating an East Ridge Trail - the location of the trail is flexible and will be established during master planning. It will be located so as to be safe, visible, and connect the public areas along the ridge. Along the "window" area described above, it will be coordinated with the location of the adjacent East Ridge Parkway.

Transportation

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

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

Streets

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

- *Beavercreek as a green boulevard.* The cross-section will be a 5 lane arterial to Clairmont, then a 3 lane arterial (green street boulevard) from Clairmont to UGB. The signalization of key intersections is illustrated on the Street Plan.
- *Center Parkway as a parallel route to Beavercreek Road.* This new north-south route provides the opportunity to completely avoid use of Beavercreek Road for trips between Old Acres and Thayer Road. This provides a much-needed separation of local and through trips, as well as an attractive east-side walking and biking route. Major cross-street intersections, such as Loder, Meyers and Glen Oak may be treated with roundabouts or other treatments to help manage average speeds on this street. Minor intersections are likely to be stop-controlled on the side street approaches. The alignment of Center Parkway along the central open space is intended to provide an open edge to the park. The cross-section for Center Parkway includes a multi-use path on the east side and green street swale. Center Parkway is illustrated as a three-lane facility. Depending on land uses and block configurations, it may be able to function well with a two lane section and left turn pockets at selected locations.
- *Ridge Parkway as a parallel route to Center Parkway and Beavercreek Road.* The section of Ridge Parkway south of the Glen Oak extension is intended as the green edge of the neighborhood. This will provide a community "window" and public walkway adjacent to the undeveloped natural areas east of the parkway. Ridge Parkway should be two lanes except where left turn pockets are needed. Major intersections south of Loder are likely to only require stop control of the side street, if configured as "tee" intersections. Mini roundabouts could serve as a suitable option, particularly if a fourth leg is added.
- *Ridge Parkway.* Ridge Parkway was chosen to extend as the through-connection south of the planning area to Henrici Road. Center Parkway and Ridge Parkway are both recommended for extension to the north as long-term consideration for Oregon City and Clackamas County during the update of respective Transportation System Plans. It is beyond the scope of this study to identify and determine each route and the feasibility of such extensions. Fatal flaws to one or both may be discovered during subsequent planning. Nonetheless, it is prudent at this level of study, in this area of the community, to identify opportunities to efficiently and systematically expand the transportation system to meet existing and future needs.

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

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

Trails

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

Transit

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

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

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

Connectivity

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

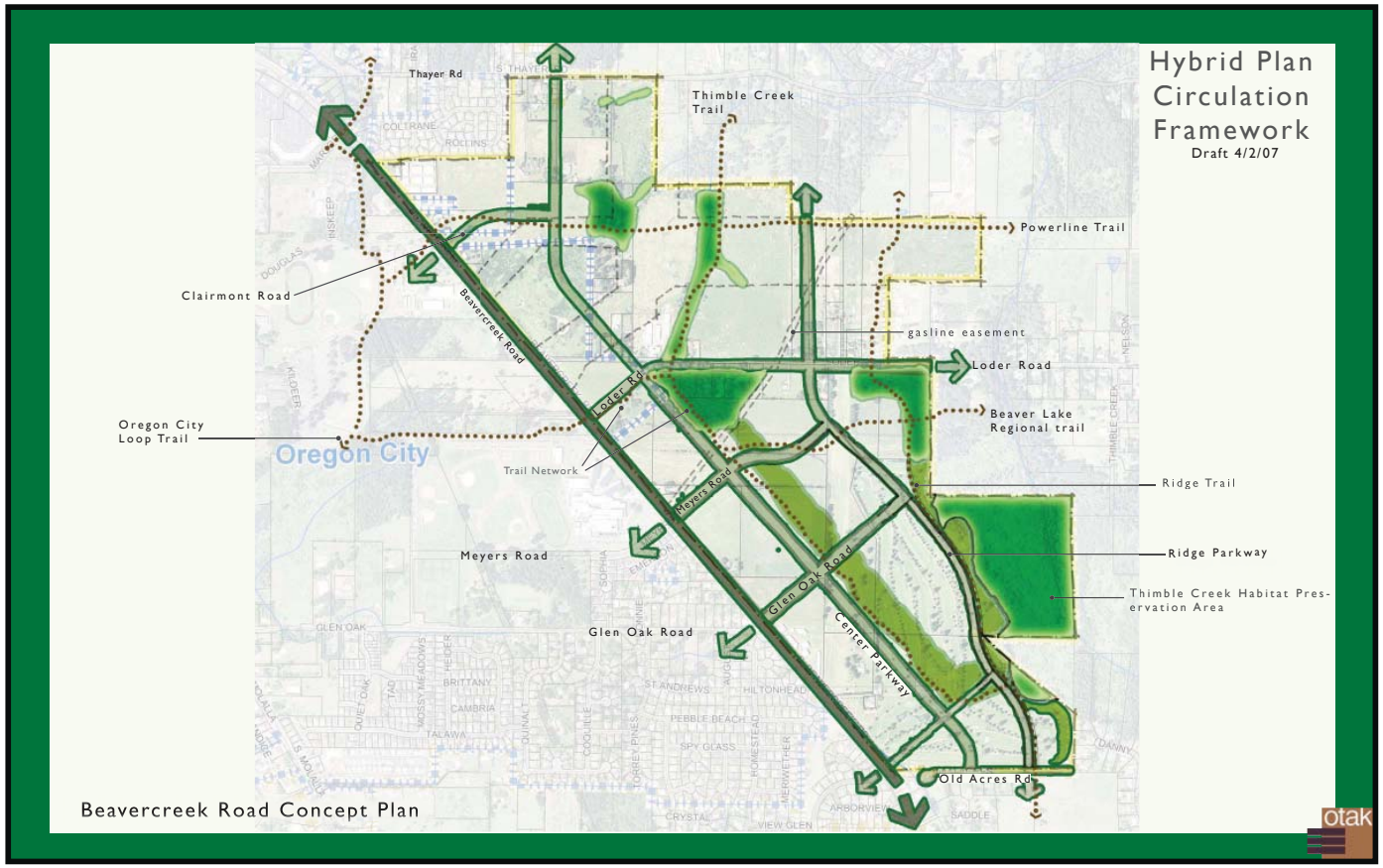
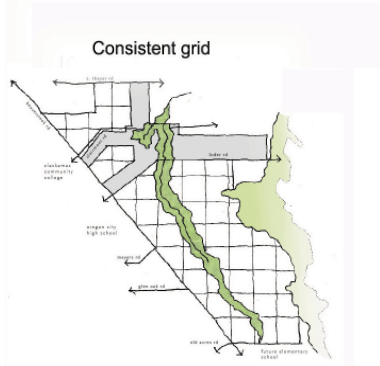
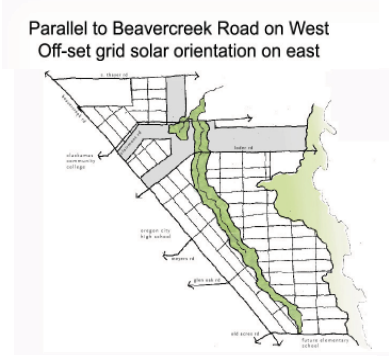


Figure 14 - Circulation Framework





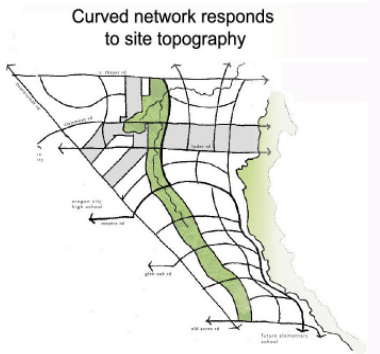


Figure 20 - Connectivity Diagrams

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

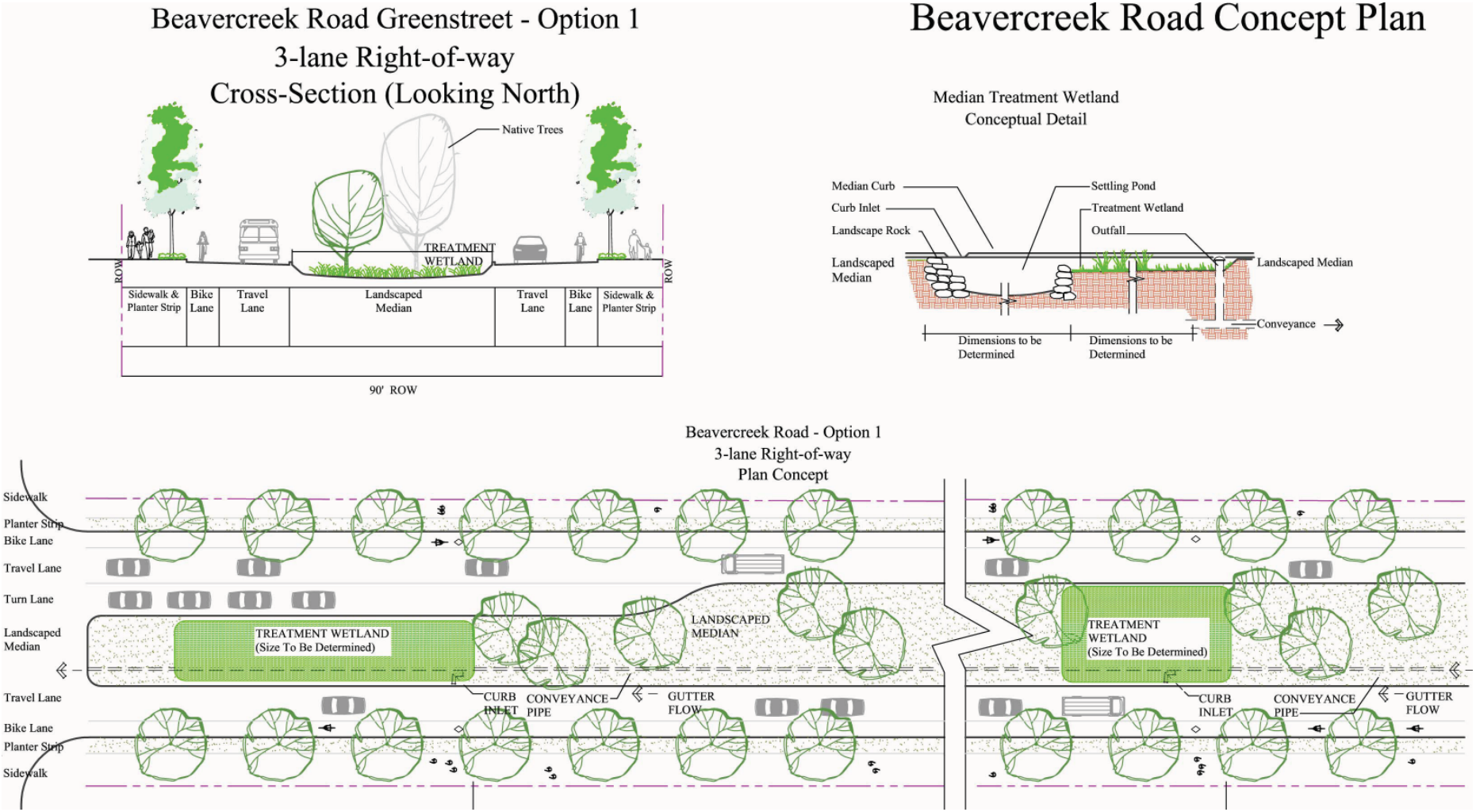


Figure 15 - Beavercreek Road Green Street

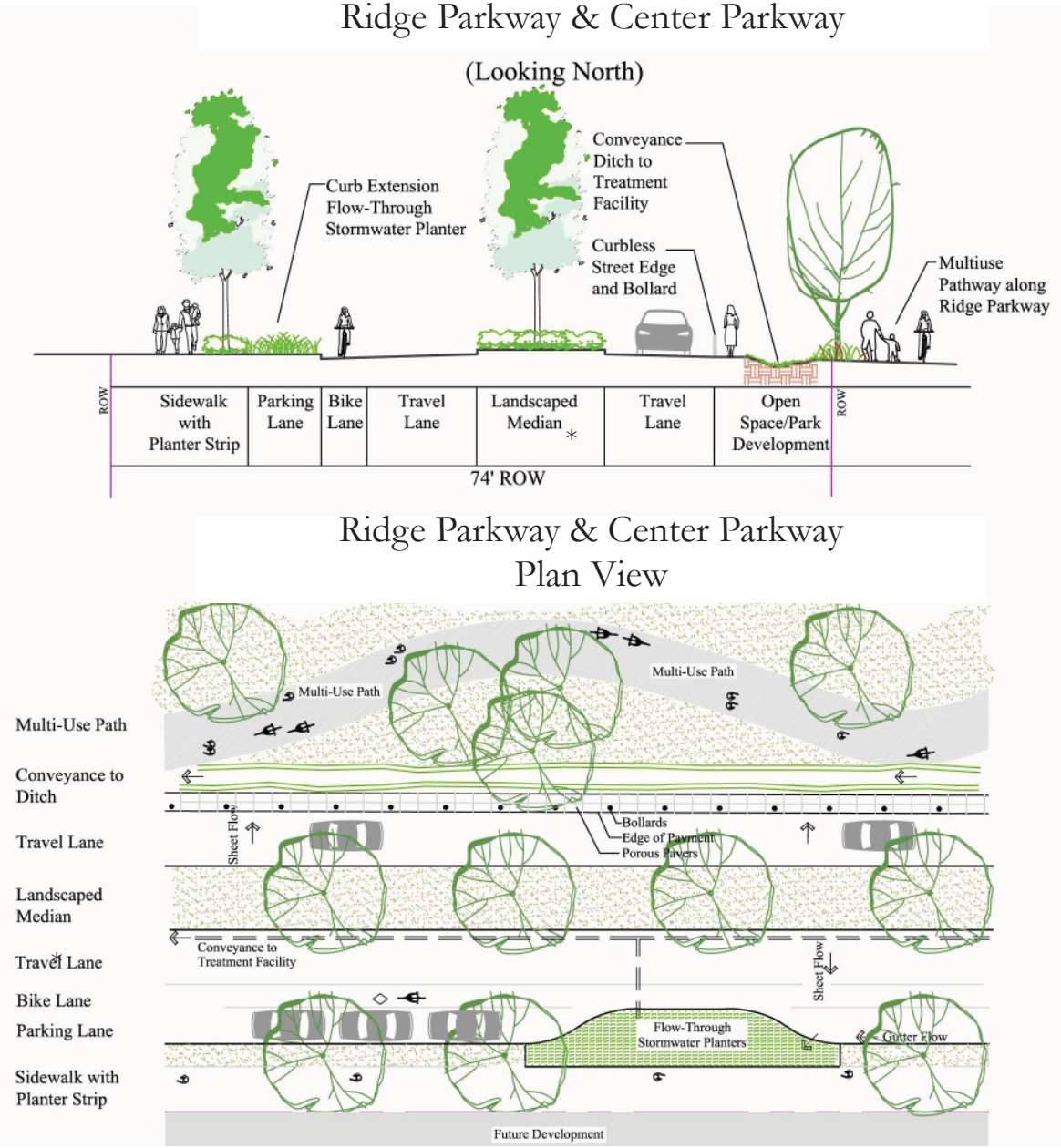


Figure 16 - Ridge Parkway and Central Parkway Green Streets

*Center median is optional for Ridge Parkway.

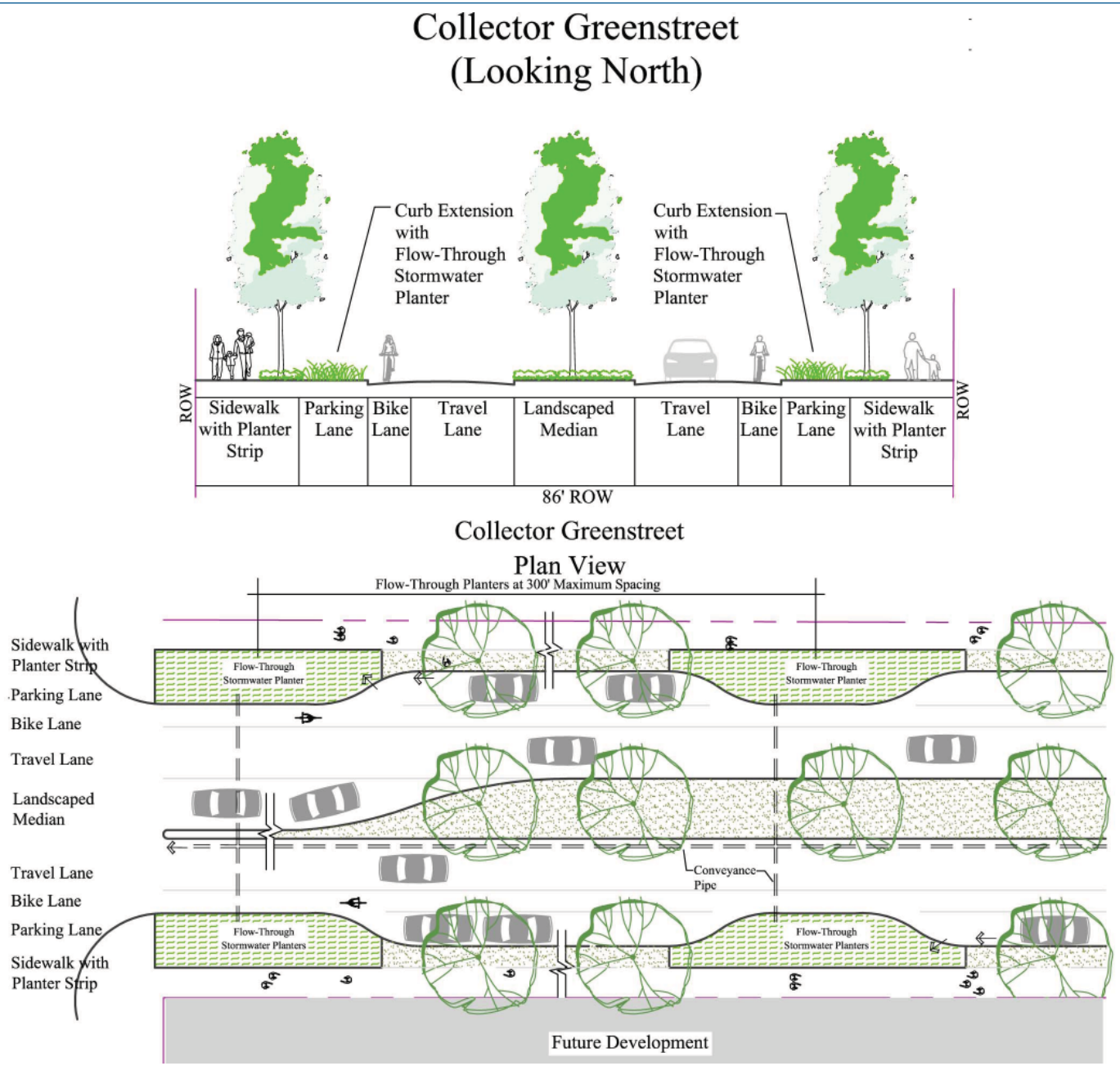


Figure 17 - Collector Green Street

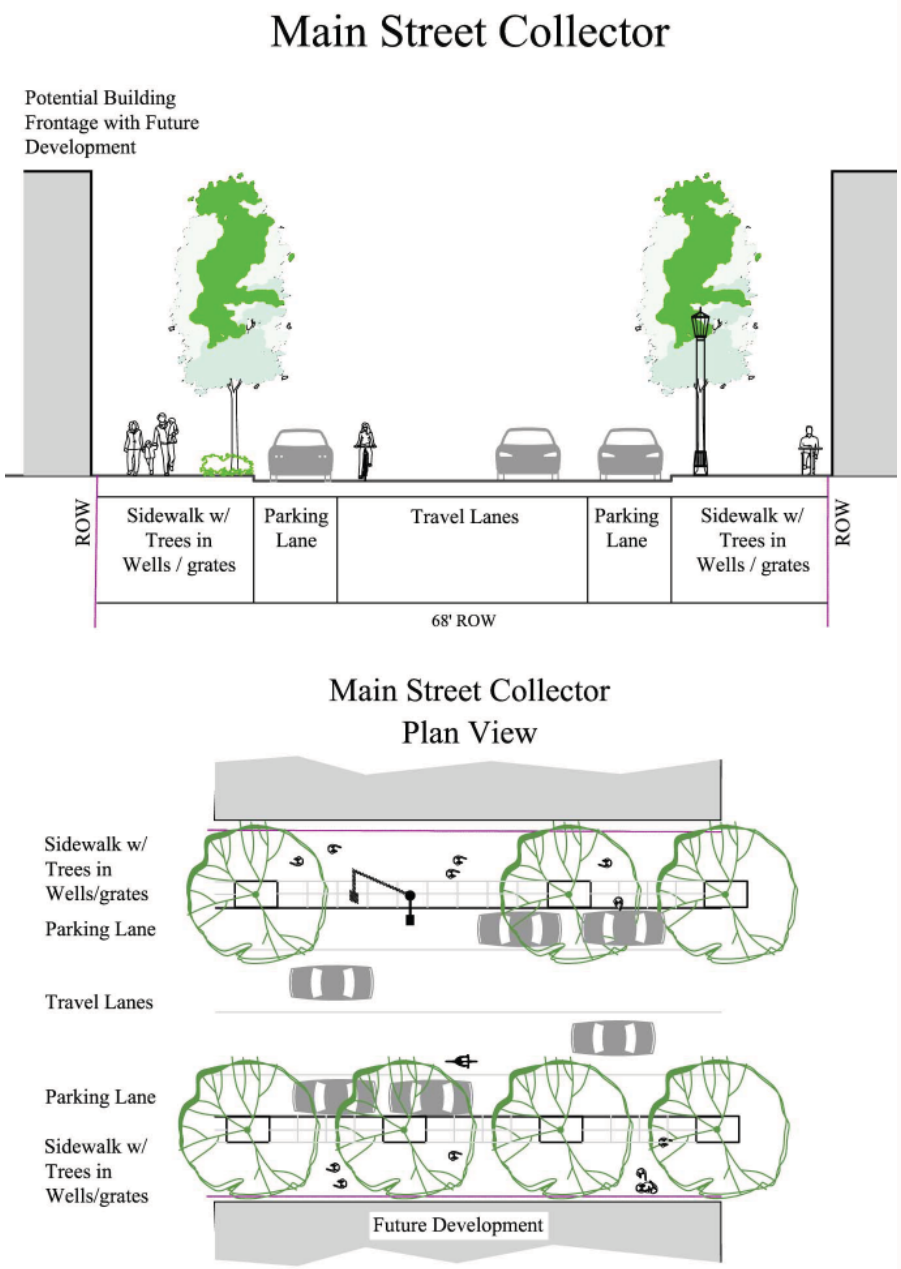


Figure 18 - Main Street Green Street

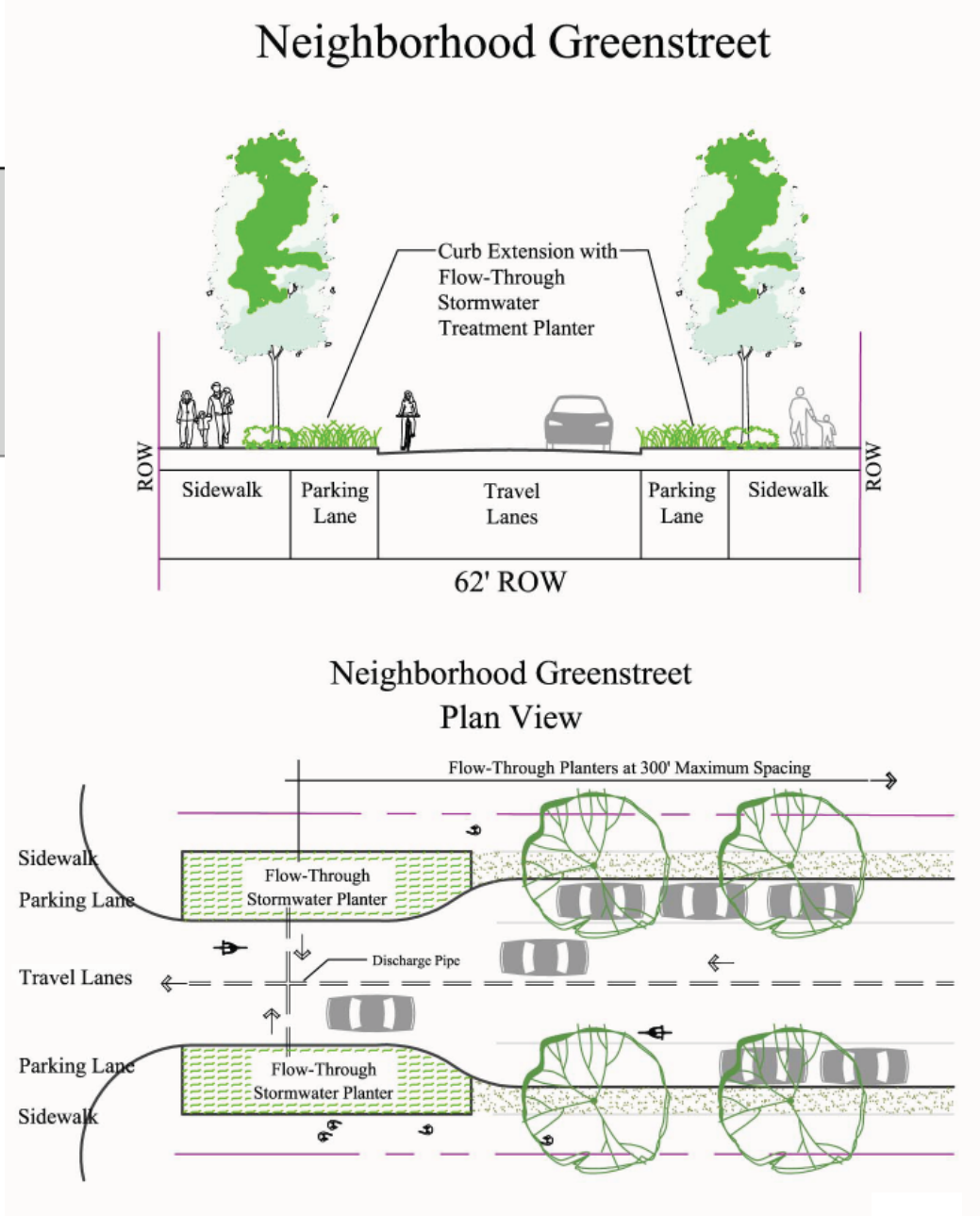


Figure 19 - Neighborhood Green Street

Cost Estimate

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

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

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

Transportation Cost Estimate

Figure 21 - Sustainable Stormwater Plan

Storm Water and Water Quality

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

Tier 1 – Site Specific Stormwater Management Facilities (Site)

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

Tier 2 – Green Street Stormwater Management Facilities (Street)

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

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

Tier 3 – Regional Stormwater Management Facilities (Neighborhood)

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

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

rge Locations

evelopment stormwater runoff rates from the Beavercreek Road
pt Plan Area will need to match pre-development rates at the existing
ge locations, per City Stormwater Design Standards. Since there are
small discharge locations to Thimble Creek, flow control facilities
t be feasible at all discharge locations. In this situation, over-
on is needed at some discharge locations to compensate for the un-
d areas so that flows in Thimble Creek at the downstream point of
ance meet City Stormwater Design Standards for flow control.

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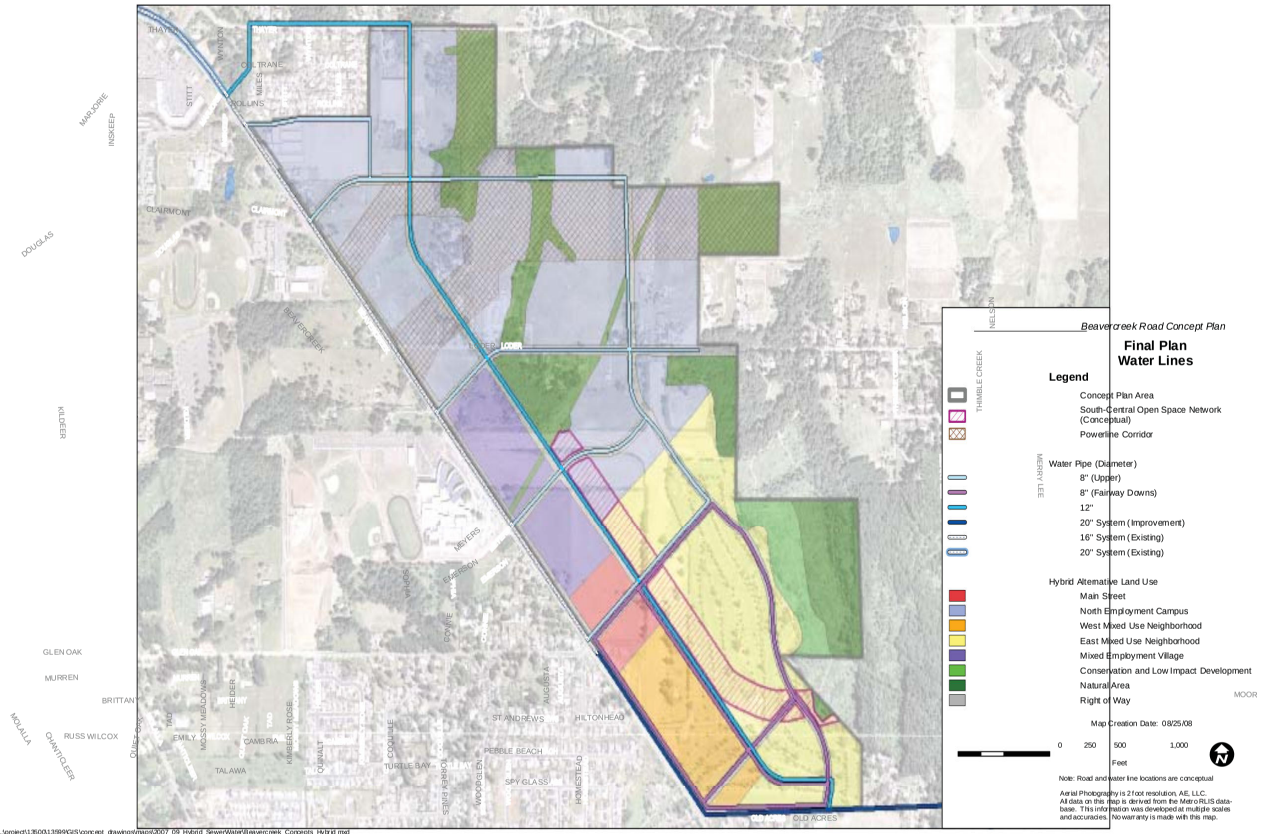

Figure 22 - Water Plan

Water

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

Since there are two pressure zones in the concept plan area, there
to be a network of pipes for each of the two zones. These syster
illustrated on Figure 22. The Fairway Downs Pressure Zone will
south one-third of the concept plan area. This zone receives wat
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In the Fairway Downs Pressure Zone, the majority of the water mains will be installed in the proposed public rights-of-way. However, a small portion of the system may need to be in strip easements along the perimeter of the zone at the far southeast corner of the concept plan area. The system layout shown is preliminary and largely dependent on future development and the final system of internal (local) streets. Additional mains may be needed or some of the water mains shown may need to be removed. For instance, if the development of the residential area located at the southeast end of the site, adjacent to Old Acres Road, includes internal streets, the water mains shown along the perimeter of the site may be deleted because service will be provided from pipes that will be installed in the internal street system.

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

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

The preliminary design ensures that the system is looped so that there are no dead-end pipes in the system. Along a portion of the north perimeter, approximately 1,600 feet of water pipe will be needed to complete a system loop and provide water service to adjacent lots. This pipe will share a utility easement with a gravity sanitary sewer and a pressure sewer. There may also be stormwater facilities in this same alignment.

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

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

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

ary Sewer

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

t road access to mp station that llel to Thimble will also be l.

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

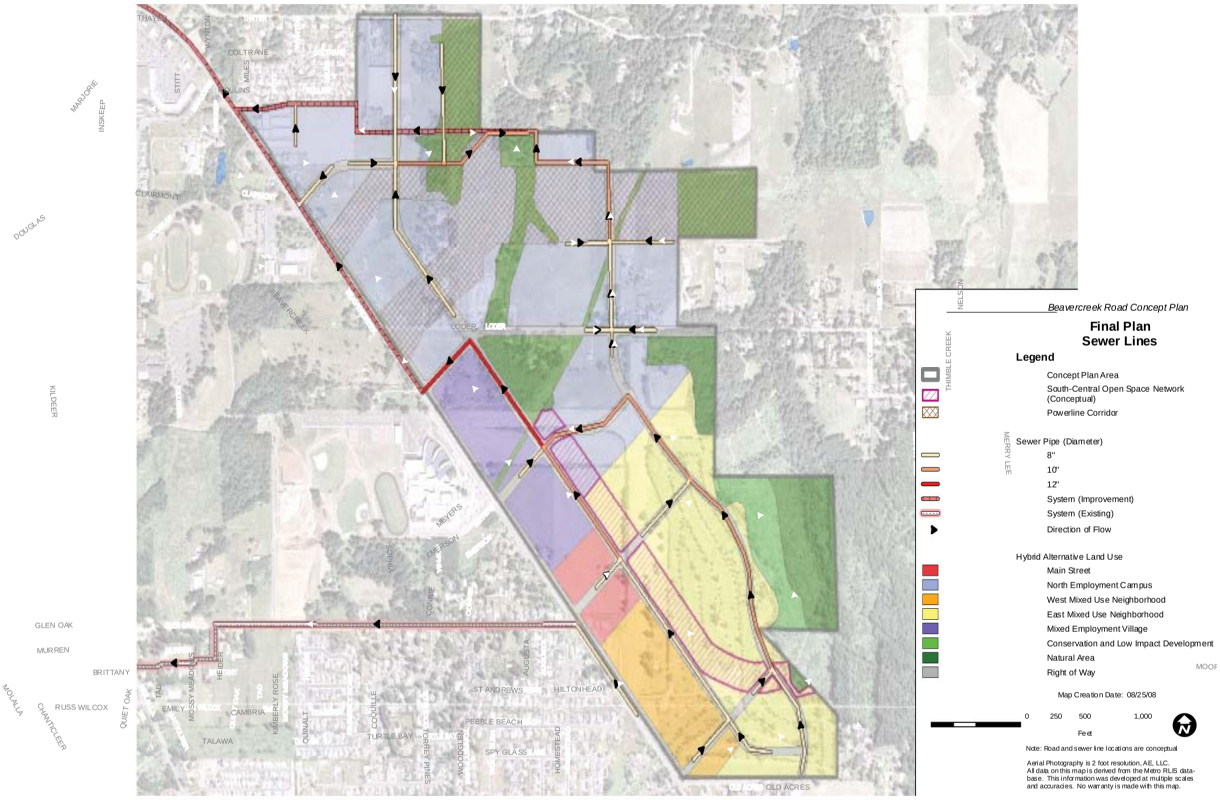


Figure 23 - Sewer Plan

The approxima elevation of 49 (MSL) is impor the southern ha the concept pla relative to gravi service. Roadw and developme constructed abo 490 ft will mos allow for gravit service. If land requiring sanita service (or road with sewer und are located low 490 ft, individu stations and pr services may be required.

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

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

Funding strategies

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

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

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

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

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

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

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

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

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

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

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

Sustainability

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

Throughout the development of the concept plan, sustainability has been paramount in guiding the CAC, the City, and the consultant team. The final plan assumes that sustainable practices will be a combination of private initiatives (such as LEED certified buildings), public requirements (green streets and low impact development policies), and public-private partnerships. It is recommended that City use incentives, education and policy support as much as possible for promoting sustainability at Beavercreek Road. Some initiatives will require regulation and City mandates, but caution and balance should be used. At the end of the day, it is up to the private sector to invest in sustainable development. The Beavercreek Road's site's legacy as a model of sustainable design will depend, in large part on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves.

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

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

Principles for Sustainable Community Design

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Metrics

Land Use

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

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

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

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

Housing and Employment Estimates

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

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

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

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

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

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

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

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

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

VI. Goals and Policies

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

Goal 1 Complete and Sustainable Community

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

Policy 1.1

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

Policy 1.2

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

North Employment Campus – NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting incompatible uses. The sub-district is intended to comply with Metro's Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Mixed Employment Village – MEV

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

Main Street – MS

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

West Mixed Use Neighborhood – WMU

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

East Mixed Use Neighborhood – EMU

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

Policy 1.3

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

Policy 1.4

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

Policy 1.5

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

Policy 1.6

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

Policy 1.7

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

Goal 2 Model of Sustainable Design

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

Policy 2.1

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

Policy 2.2

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

Policy 2.3

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

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

Policy 2.4

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

Goal 3 Green Jobs

Attract "green" jobs that pay a living wage.

Policy 3.1

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

Policy 3.2

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

Policy 3.3

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

Goal 4 Sustainable Industries

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

Policy 4.1

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

Policy 4.2

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

Goal 5 Natural Beauty

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

Policy 5.1

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

Policy 5.2

Provide scenic viewpoints and public access along the east ridge.

Policy 5.3

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

Policy 5.4

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

Policy 5.5

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

Goal 6 Multi-modal Transportation

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

Policy 6.1

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

Policy 6.2

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

Policy 6.3

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

Policy 6.4

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

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

Policy 6.5
Require trails to be provided consistent with the Concept Plan Circulation Framework.

Policy 6.6
Provide bike lanes on Beavercreek Road and all collector streets, except for Main Street. The City may consider off-street multi-use paths and similar measures in meeting this policy. Bike routes will be coordinated with the trails shown on the Circulation Framework.

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

Policy 7.1
Design Beavercreek Road to be a green street boulevard that maximizes pedestrian safety.

Policy 7.2
Work with the County and State to establish posted speeds that are safe for pedestrians and reinforce the pedestrian-oriented character of the area.

Policy 7.3
Control access along the east side of Beavercreek Road so that full access points are limited to the intersections shown on the Circulation Framework. Right in-Right-out access points may be considered as part of master plans or design review.

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

Policy 8.1
Coordinate with OCHS and CCC when recruiting businesses and promoting sustainability. Within one year of adoption of the Concept Plan, the City will convene dialogue with OCHS, CCC and other relevant partners to identify target industries and economic development strategies that are compatible with the vision for the Concept Plan. Encourage curricula that are synergistic with employment and sustainability in the Concept Plan area.

Policy 8.2
Prior to application submittal, require applicants to contact OCHS and CCC to inform them and obtain early comment for master plans and design review applications.

Policy 8.3
Improving the level-of-service and investing in the Highway 213 corridor improves the freight mobility along Highway 213, which provides access to Beavercreek Road and the Concept Plan area. Protecting the corridor and intersections for freight furthers the City goal of providing living-wage employment opportunities in the educational, and research opportunities to be created with CCC and OCHS.

Goal 9 Unique Sense of Place

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

Policy 9.1

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

Policy 9.2

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

Policy 9.3

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

Policy 9.4

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

Goal 10 Ecological Health

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

Policy 10.1

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

Policy 10.2

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

Appendix

1. Project Goals

2. Concept Plan Alternatives

3. GIS Analysis Map

4. Job and Housing Estimates

Appendix I

	To: Beavercreek Road Concept Plan Citizens and Technical Advisory Committees From: Tony Konkol Date: March 13, 2007 Subject: Project Goals with Objectives

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

The Beavercreek Road Concept Plan Area will:

Goal

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

   Objective 1.1
   Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

   Objective 1.2
   Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

   Objective 1.3
   Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

   Objective 1.4
   Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services, and housing for local workers and residents of all ages and incomes.

   Objective 1.5
   Become a model of sustainability that may be implemented throughout the City.

   Objective 1.6
   Allow the integration of housing and employment uses where practicable.

   Objective 1.7
   Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

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

   Objective 2.1
   Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.
   Objective 2.2
   Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.
   Objective 2.3
   Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.
   Objective 2.4
   Encourage environmentally responsible developments that are economically feasible, enhance livability of neighborhoods and enhance the natural environment.
   Objective 2.5
   Investigate development standards that offer incentives for developments that exceed energy efficiency standards and meets green development requirements and goals.

3. Attract **"green" jobs** that pay a living wage;
   Objective 3.1
   Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.
   Objective 3.2
   Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.
   Objective 3.3
   Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.
   Objective 3.4
   Allow the integration of housing and employment uses where practicable.
   Objective 3.5
   Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.
   Objective 3.6
   Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

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

   Objective 4.1

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

Objective 4.2

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

Objective 4.3

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

Objective 4.4

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

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

Objective 5.1

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

Objective 5.2

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

Objective 5.3

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

Objective 5.4

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

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

Objective 6.1

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

Objective 6.2

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

Objective 6.3

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

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

   Objective 7.1
   Develop and maintain a multi-modal transportation system that is safe for all users and will minimize conflict points between different modes of travel, especially across Beavercreek Road to the existing neighborhoods, Clackamas Community College, Oregon City High School and the Berry Hill Shopping Center.
   Objective 7.2
   Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

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

   Objective 8.1
   Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.
   Objective 8.2
   Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.
   Objective 8.3
   Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

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

   Objective 9.1
   Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.
   Objective 9.2
   Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.
   Objective 9.3
   Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.
   Objective 9.4
   Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 9.5

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

Objective 9.6

Allow the integration of housing and employment uses where practicable.

Objective 9.7

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

Objective 9.8

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

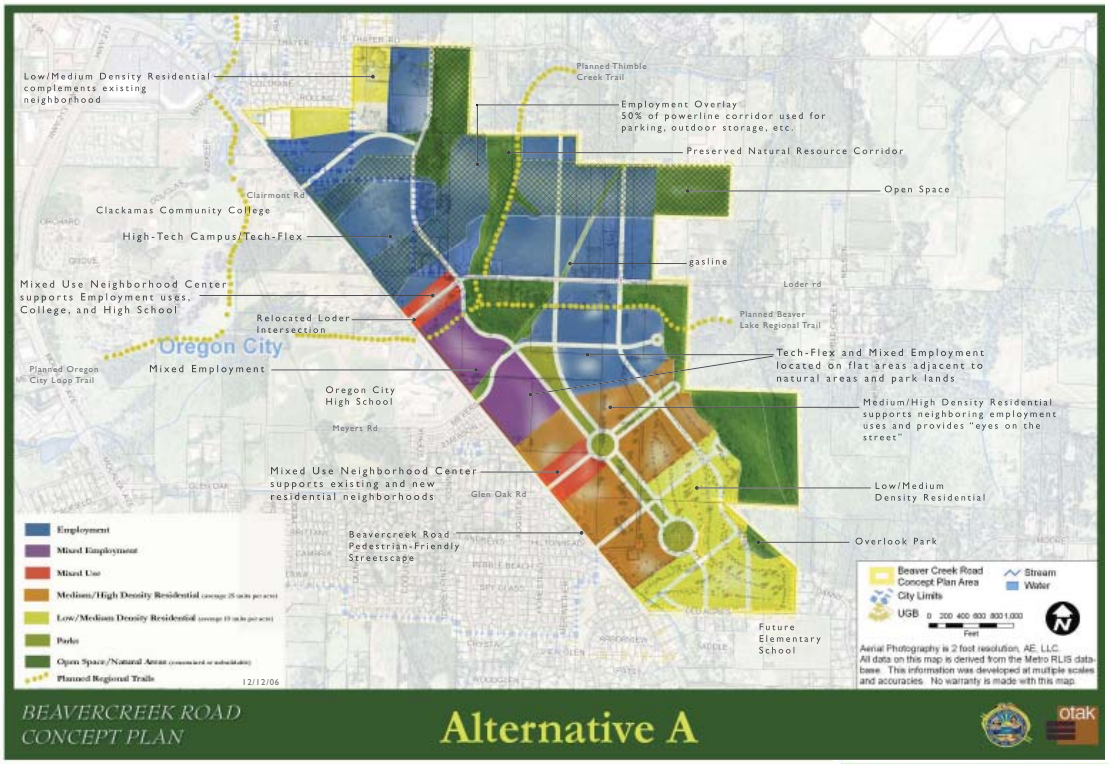
Objective 9.9

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

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

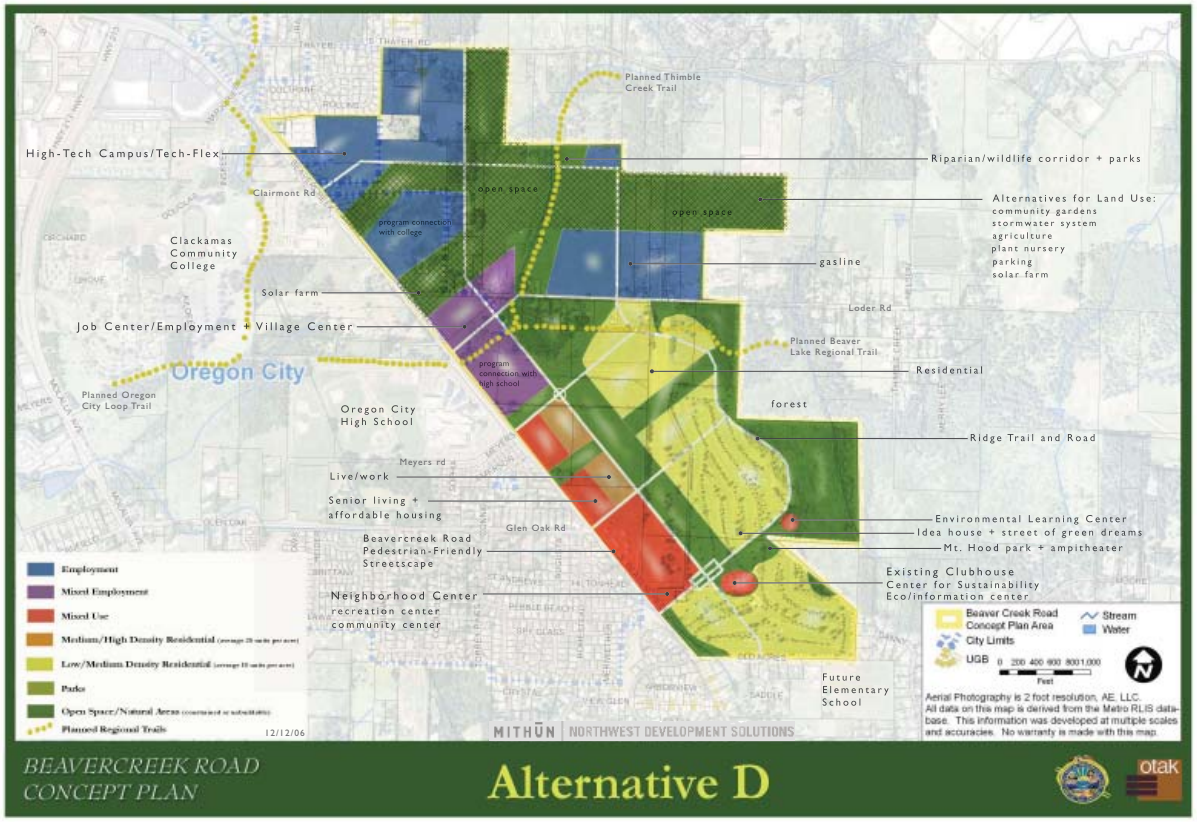
Objective 10.1

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



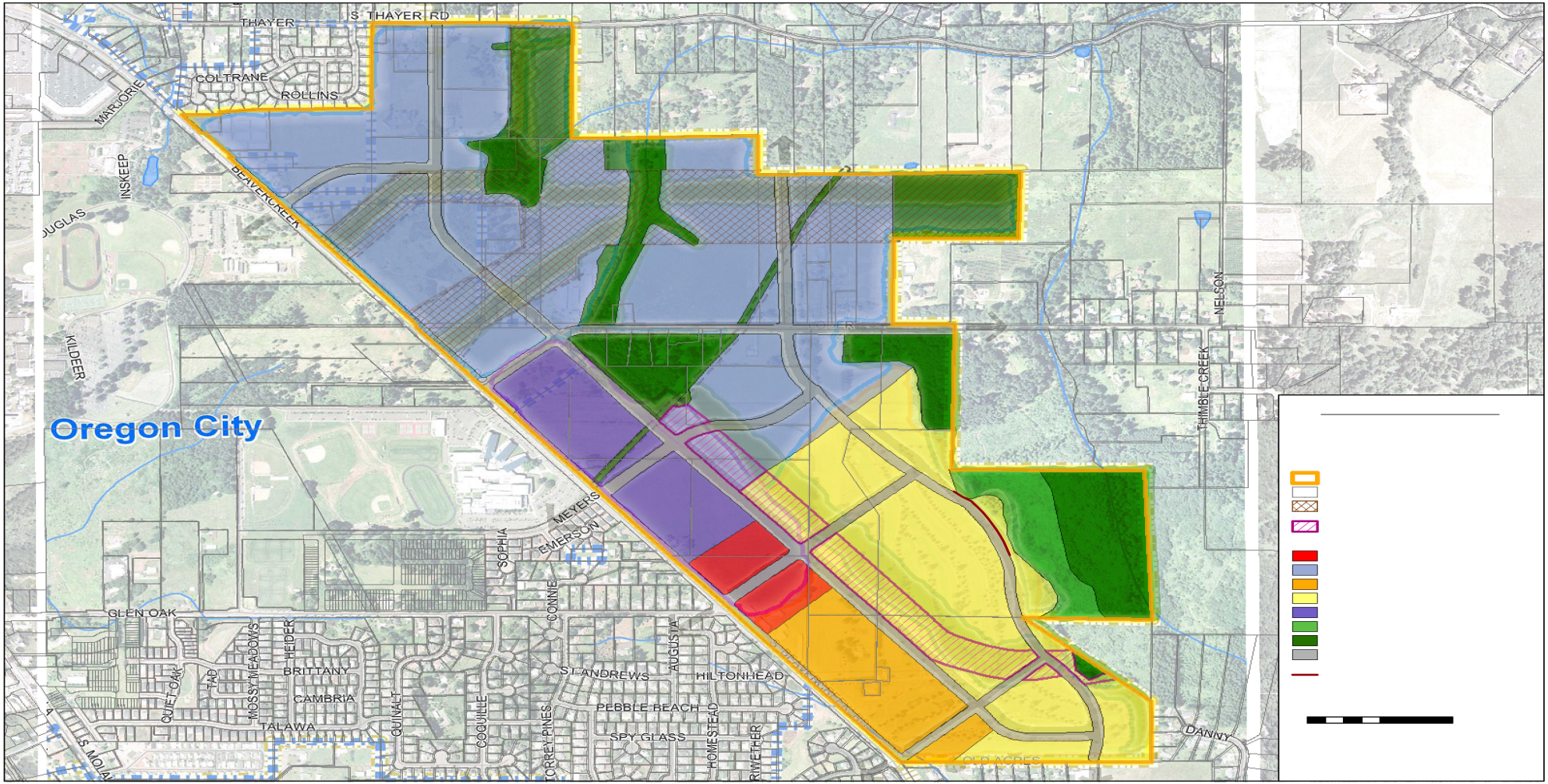
BEAVERCREEK ROAD CONCEPT PLAN

Alternative A



BEAVERCREEK ROAD CONCEPT PLAN

Alternative D



S THAYER RD
THAYER
COLTRANE
ROLLINS
MARJORIE
INSKEEP
DUGLAS
BEAVERCREEK
KILDEER
Oregon City
NELSON
THIMBLE CREEK
MEYERS
EMERSON
SOPHIA
CONNIE
GLEN OAK
HEIDER
MOSSY MEADOWS
BRITTANY
CAMBRIA
TALAWA
QUIET OAK
TAD
QUINALT
COQUILLE
TORREY PINES
ST ANDREWS
AUGUSTA
HILTONHEAD
PEBBLE BEACH
SPY GLASS
HOMESTEAD
RIWETHER
DANNY

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

Land Use Category	Hybrid Gross Acres	Hybrid Net Acres*	FAR/Acre**	SF/Job**	# of Jobs***	Avg. Units/Acre	# of Units+
North Employment Campus (adjusted gross acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street****	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
Total # of Jobs					**5,073**		
Total # of Housing Units							**1,023**
Total Acres of Developed Land++	**284**	**235**					
Land Use Category	**Plan A Gross Acres**	**Plan A Net Acres***	**FAR/Acre****	**SF/Job****	**# of Jobs*****	**Avg. Units/Acre**	**# of Units+**
Employment (adjusted gross acreage)	139	118	0.3	450	3,431		
Mixed Employment	24	20	0.44	350	1,117		
Mixed Use****	10	9	0.44	350	233	25	106
Medium/High Density Residential	50	43			43	25	1,063
Low/Medium Density Residential	53	45			18	10	451
Total # of Jobs					**4,841**		
Total # of Housing Units							**1,619**
Total Acres of Developed Land++	**276**	**235**					
Land Use Category	**Plan D Gross Acres**	**Plan D Net Acres***	**FAR/Acre****	**SF/Job****	**# of Jobs*****	**Avg. Units/Acre**	**# of Units+**
Employment (adjusted gross acreage)	84	71	0.3	450	2,073		
Mixed Employment	25	21	0.44	350	1,164		
Mixed Use****	29	25	0.44	350	675	25	308
Medium/High Density Residential	9	8			8	25	191
Low/Medium Density Residential	99	84			34	10	842
Total # of Jobs					**3,953**		
Total # of Housing Units							**1,341**
Total Acres of Developed Land+++	**246**	**209**					

***For Hybrid -** Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements
* *Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.
***Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).
**** Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.
+Number of units calculated by multiplying total net acres of residential land use by average units per acre
++Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)
+++Does not include powerline corridor acreage as part of developed land

Appendix IV

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

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

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

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

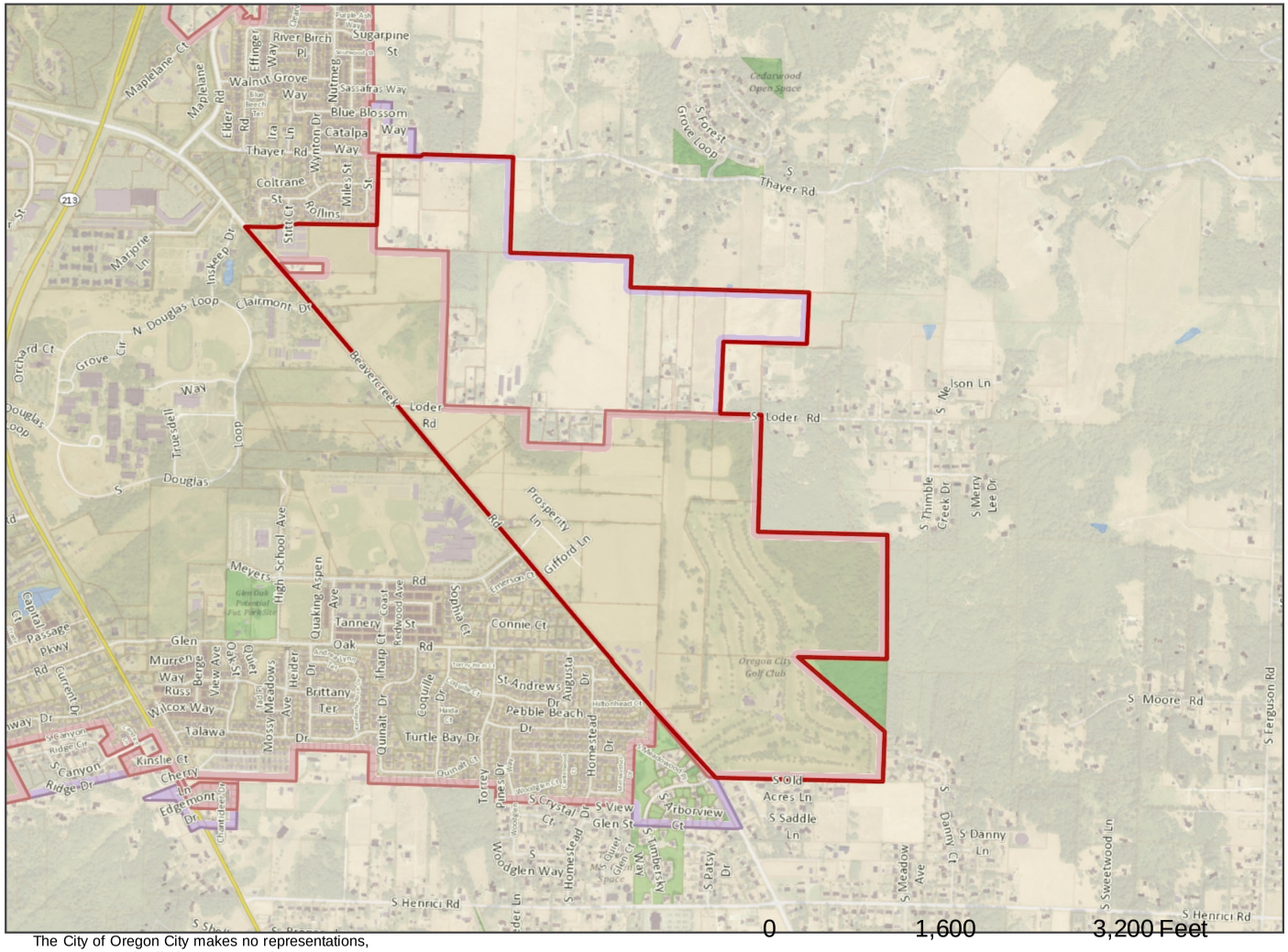
** Open Space/Natural areas is the sum of all "unbuildable lands" as shown on the *Buildable Lands Map* plus two areas under the powerlines. Calculations shown below.

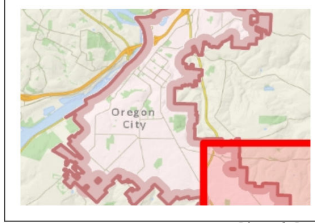
Open Space/Natural Areas Break-Out	Hybrid	Alt. A	Alt. D
Open Space -Gas Overlay	3	4	4
Open Space - Unbuildable Powerlines***	48	49	0
Environmental Resources/*Buildable Lands Map*	61	61	61
Parks	na	12	na
Other Open Space Areas	18	6	101
Open Space/Natural Areas (Total)	**130**	**132**	**166**

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

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

Taxlots
Taxlots Outside UG
Unimproved ROW
Beavercreek Road
City Limits
UGB
Basemap





Notes

Overview

0 1,600 3,200 Feet

1: 19,200

N

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Map created 6/21/2019

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Oregon City
OR 97045
(503) 657-0891
www.orcity.org

MEMO

Date: June 26, 2019

To: Laura Terway & Christina Robertson-Gardiner, City of Oregon City

CC: Steve Faust, 3J Consulting

From: Elizabeth Decker, JET Planning

Subject: Beavercreek Road Concept Plan Map and Code Implementation Project

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I. PROJECT DESCRIPTION AND BACKGROUND

I.a. CONCEPT PLAN SUMMARY

The Beavercreek Road Concept Plan (BRCP) establishes the goal of creating a complete and sustainable community in southeast Oregon City within a 453-acre district along Beavercreek Road. The district is intended to provide for a mix of uses including an employment campus north of Loder Road, mixed-use districts along Beavercreek Road, and two mixed-use neighborhoods woven together by open space, trails, a network of green streets, and sustainable development practices. District development will help to provide 1000 to 1,600 diverse housing options and to realize the City's economic development goals, including creation of up to 5,000 family-wage jobs. The five subdistricts that support these development goals include:

- ***North Employment Campus:*** The largest subdistrict, located north of Loder Road and is intended for tech flex and campus industrial uses.
- ***Mixed Employment Village:*** Located along Beavercreek Road between Meyers Road and Glen Oak Road, and intended for mixed-use, 3-5 story building scale, active street life.
- ***Main Street:*** A node located Beavercreek Road and Glen Oak Road, intended for mixed-use, local shops and services.
- ***West Mixed-Use Neighborhood:*** Located along Beavercreek Road south of Glen Oak Road and the Main Street subdistrict, and intended for medium to high density housing and limited community uses.
- ***East Mixed-Use Neighborhood:*** Located in the southeast end of concept plan area, and is intended for low-density residential and green space throughout.

- ***Parks, Open Spaces and Resource Areas:*** Includes a connected system of parks, open spaces and natural areas that link together and link to the environmentally sensitive areas throughout the district, including the undevelopable portion of the powerline overlay.

The Beavercreek Road Concept Plan was initially adopted in 2008 and re-adopted in 2016, following legal and legislative findings that affirmed the plan's consistency with Metro regional employment goals. (See File No. LE-15-0003.) While approximately half of the district has been annexed to the City, mapping and zoning regulations need to be developed and applied for the annexed areas and the remainder of the district to fully implement the BRCP.

I.b. IMPLEMENTATION PROJECT SUMMARY

Oregon City aims to further implementation of the Beavercreek Road Concept Plan (BRCP) through comprehensive plan designation and zone mapping, and development code amendments. The specific tasks for this project will be to develop comprehensive plan map and zoning map designations to implement the Beavercreek Road Concept Plan map, and supporting development code regulations for each implementing zone. The existing Concept Plan map was the guide for mapping implementation. Existing city zoning, bolstered by recent Amendments to the Oregon City Municipal Code (including the Equitable Housing Project recommendations) code amendments, generally lines up with the desired land use concepts within the plan and will facilitate implementation with minor amendments. Additional plan goals beyond land use implementation are outside the scope of this project, including infrastructure, transportation and economic development measures that have already been completed or planned for the concept plan area. Additional items will be pursued separately from this land use implementation project.

I.c. PROJECT PUBLIC ENGAGEMENT

The BRCP implementation project engaged a range of stakeholders in multiple venues and formats over eight months, with each successive round of engagement used to inform project refinements in subsequent phases.

The first round of engagement consisted of four stakeholder interviews with property owners, economic development representatives, and local educational institutions to understand current conditions and priorities for the implementation project. This initial round also included three presentations to the following community groups to update them on the status of the BRCP concept plan and hear their priorities for the implementation process:

- Caulfield Neighborhood Association- January 22, 2019

- The Hamlet of Beavercreek- January 23, 2019
- Beavercreek Blue Ribbon Committee- January 17, 2019

Three public meetings were held at the Oregon City High School, near the concept plan area, and at City Hall during the course of the project to provide information and discussion opportunities on the evolving maps and code amendments:

- Tuesday, January 29, 2019- Oregon City High School Library- 7:00-8:30 PM
- Tuesday, April 9, 2019- Oregon City High School Library- 7:00-8:30 PM
- Monday, June 10, 2019- City Hall Commission Chambers - 5:00-7:00 PM

For all meetings, materials were also available online including comment forms to allow community members to participate virtually if they were not able to attend the meetings in person.

Additional presentations were held at the following City meetings to detail the implementation project elements:

- Citizen Involvement Committee- January 7, 2019
- Transportation Advisory Committee- March 19, 2019

The proposed map and code amendments were discussed at the two work sessions this spring:

- Planning Commission Work Session- May 13, 2019
- City Commission Work Session- June 11, 2019

Throughout the project, ongoing methods used to engage citizens in the process have included:

- Project website with regular updates (https://www.orcity.org/Beavercreekconceptplan)
- Email Updates announcing upcoming meetings and events
- Mailing List
- Public comment tracker, compiling feedback from all engagements with responses from staff, updated throughout the project
- Online comment forms
- Naming survey for renaming the concept plan area
- Notice board posted within the concept plan area

The following meetings are anticipated as of the date of this report as part of the adoption process.

- 1st Planning Commission Hearing: August 12, 2019- 7:00 PM
- City Commission Work Session (Beavercreek Road Street Design): August 13, 2019
- Additional Planning Commission and City Commission public hearings and work sessions to be scheduled.

All meetings will be properly noticed and advertised through the project's mailing list and website.

II. PROPOSED AMENDMENTS

II.a. AMENDMENT SUMMARY

The implementation project includes map and text amendments consistent with BRCP including:

1. *Comprehensive plan text amendments:* Proposed clarification in the Parks Master Plan (ancillary document to the Comprehensive Plan) as well as amendments to the Transportation System Plan (ancillary document to the Comprehensive Plan) as needed.
2. *Comprehensive plan map amendments:* Proposed amendments to the comprehensive plan map implement the five subdistricts identified in the BRCP consistent with the concept plan maps throughout the concept plan area.
3. *Zoning map amendments:* Proposed amendments to the zoning map implement the five subdistricts consistent with the concept plan and comprehensive plan designations for properties within the concept plan area that have been annexed into the city limits. Zoning for properties within the Concept Plan boundary but not annexed into the City will be applied at the time of annexation, consistent with the adopted comprehensive plan map.
4. *Zoning text amendments:* Code amendments to the Oregon City Municipal Code include geographically specific provisions to supplement the base zoning district provisions to fully implement the concept plan goals for each subdistrict. Limited amendments to subdivision and site plan review standards are also proposed to ensure concept plan standards are implemented at the time of development.

The BRCP subdistricts are proposed to be implemented with existing city comprehensive plan designations and zoning districts for proposed maps, with proposed code amendments building on existing district standards.

Subdistrict	*Comprehensive plan designation*	*Zone*
North Employment Campus	Industrial (I)	Campus Industrial (CI)
Mixed Employment Village	Mixed-Use Corridor (MUC)	Mixed-Use Corridor (MUC-2)
Main Street	Mixed-Use Corridor (MUC)	Neighborhood Commercial (NC)
West Mixed-Use Neighborhood	High-Density Residential (HDR)	High-Density Residential (R-2)
East Mixed-Use Neighborhood	Medium-Density Residential (MDR)	Medium-Density Residential (R-5)
Environmentally Sensitive Restoration Area		Natural Resources Overlay District (NROD) Geological Hazard Overlay District (GHOD)

II.b. SUMMARY OF ZONING TEXT AMENDMENTS

The proposed code amendments specific to each subdistrict are described below, and supplement rather than supplant the base zone standards.

OCMC 16.08, Land Divisions – Process and Standards

- Proposed code amendments include additional public park requirements or fee-in-lieu option for certain properties to ensure land for the South Central Open Space Network is reserved and dedicated to the city at the time of residential subdivisions. This is expected to largely apply to development in the R-5 district.

OCMC 17.10, R-5 Medium Density Residential District (East Mixed-Use Neighborhood subdistrict)

- No changes are proposed to the mix of uses or dimensional standards in the zone beyond those proposed in the Amendments to the Oregon City Municipal Code (including the Equitable Housing Project recommendations).

- Standards for the Low-Impact Conservation Area implement the plan goals for the area upslope of Thimble Creek, on the eastern edge of the Beavercreek Road district. The proposed standards limit development to two units per acre, require open space preservation and restoration, and require view corridors to preserve views.
- A 40-foot perimeter buffer is proposed along the southern edge of the district including landscaping, setbacks and fencing, to manage the transition to lower-density residential development outside City limits along Old Acres Lane to the south.

OCMC 17.12, R-2 High Density Residential District (West Mixed-Use Neighborhood subdistrict)

- Allows additional uses consistent with the Concept Plan include live/work dwellings and limited commercial/mixed-use spaces.
- Provides up to a 20% density bonus for development incorporating sustainability features.
- Additional changes in Site Plan and Design Review standards to add requirement for additional public park dedication or fee-in-lieu, consistent with requirement for new subdivisions.

OCMC 17.24, MC Neighborhood Commercial District (Main Street subdistrict)

- Limits uses to a 10,000 SF building footprint to encourage pedestrian-scale, main street businesses. Limits residential uses to 50% of the project floor area, and prohibits ground-floor residential uses within 150 feet of Glen Oak Road (which will be the "main street.") Adds a new use category for artisan and specialty goods production to allow limited manufacturing type uses.
- Increase dimensional standards to match scale proposed in the Concept Plan, including a five-story height limit and 0.5 FAR minimum.
- Improves building presence and interaction along the street by requiring parking to be located behind building facades.

OCMC 17.29, MUC Mixed-Use Corridor District (Mixed Employment Village subdistrict)

- Light industrial uses are permitted to implement the employment aspect of the vision for this subdistrict. Retail and service uses, including food service, are limited to 20% of a site to maintain the focus on employment uses generating family-wage jobs. Residential uses are limited to upper stories only.

- One parcel with an in-progress residential development is permitted outright, to avoid creating a nonconforming use.
- An additional dimensional standard implements a minimum 0.35 FAR for new development to ensure efficient use of land.

OCMC 17.31, CI Campus Industrial District (North Employment Campus subdistrict)

- Retail and professional service uses are limited consistent with Metro Title 4 requirements to preserve land for industrial uses. Offices are permitted consistent with uses outlined in the Concept Plan, whereas distribution and warehouse uses are prohibited because they create relatively few jobs per acre inconsistent with the plan goals.
- Several parcels with existing single-family residential development are permitted outright, to avoid creating nonconforming uses. (These parcels are outside of Title 4 lands, so there is no conflict with employment requirements.)
- Additional standards require landscaping, berms and fences within the required 25-foot transition area between industrial and residential uses.
- Outdoor storage is limited to a maximum of 25% of the developable area to avoid inefficient use of land that does not support employment plan goals.
- A minimum 30-foot open space and trail corridor is required along the powerline corridor. Additional parks, trails, urban agriculture and community garden uses are permitted consistent with the plan goals for uses within the powerline easement.
- Sustainable development features are required for all development to implement the plan's sustainability goals.

OCMC 17.44, US – Geologic Hazards and OCMC 17.49 – Natural Resources Overlay District

- No changes are proposed to the geologic hazard or natural Resources Overlay District standards for this district; resource areas within the concept plan area will be protected consistent with existing standards.

OCMC 17.62, Site Plan and Design Review

- Proposed code amendments include additional public park requirements or fee-in-lieu option to ensure land for the South Central Open Space Network is reserved and dedicated to the city at the time of residential subdivisions.

This is intended to apply to any residential development in the R-2 or the mixed-use districts that does not get developed through subdivision.

III. COMPLIANCE

III.a. CHAPTER 17.68 ZONING CHANGES AND AMENDMENTS

17.68.010 Initiation of the amendment.

A text amendment to this title or the comprehensive plan, or an amendment to the zoning map or the comprehensive plan map, may be initiated by:

A. A resolution by the commission;

B. An official proposal by the planning commission;

C. An application to the planning division presented on forms and accompanied by information prescribed by the planning commission.

All requests for amendment or change in this title shall be referred to the planning commission.

Response: This request is for amendments to the zoning map, amendments to the comprehensive plan map, and text amendments to the Oregon City Municipal Code and was initiated by the Planning Division.

17.68.020 Criteria.

The criteria for a zone change are set forth as follows:

A. The proposal shall be consistent with the goals and policies of the comprehensive plan.

Response: Consistency with the Oregon City Comprehensive Plan (OCCP) Goals and Policies follow starting on page 11.

B. That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed by the zone, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone.

Response: The capacity of the respective public facilities and services to support the proposal is addressed below.

Water and Sewer Capacity

Please refer to the attached memorandum from 3J Consulting. The memorandum provides an assessment of the water and sanitary sewer system implications of the map and code amendments proposed with the BRCP implementation project.

Wastewater treatment is provided by the Tri-City Sewer District, which the project contacted for comment.

The 3J memorandum concludes that development of 1,105 dwelling units and 5,734 jobs within the BRCP area have been adequately planned for in infrastructure master plans and sufficient capacity will be available to serve development. The Sanitary Sewer (2014) and Water Distribution (2012) Master Plans were all created subsequent to initial adoption of the Beavercreek Road Concept Plan (2008). Each master plan incorporated the BRCP area into future capital improvement projections and will ensure adequate water and sewer capacity is developed.

South Fork Water Board (SFWB), Oregon City's water provider was contacted for comment.

Schools

The proposal was sent to the Oregon City School District (OCSD) for comment.

Police and Fire Protection

Oregon City Police Department and Clackamas Fire District capacity would not be affected by the proposal, since the proposal does not change existing service areas. They have been contacted for comment.

Wastewater Treatment

Tri-City Sewer District was contacted for comment.

Storm Drainage

This proposal does not change the city's adopted policies and technical documents related to storm water management and erosion control. The Draft 2019 Oregon City Stormwater Master Plan includes the BRCP area, which is part of the Newell Creek Basin, but does not identify any capital improvement projects specifically needed to serve the BRCP district. The Plan states that the eventual layout of the stormwater conveyance systems and management facilities will be crafted through the preliminary and final design process for development projects within the BRCP district.

Transportation

Impacts to the transportation system are addressed under (C) below.

Based on the various analyses provided, public facilities and services are presently capable of supporting the uses allowed by the proposal, or can be made available prior to issuing a certificate of occupancy. **This criterion is met.**

C. The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district.

Response: The impacts of the proposal on the transportation system were reviewed by a transportation consultant, DKS. Please refer to the DLS analysis and memorandum which is attached to this narrative. The memorandum provides an assessment of the transportation implications of the project proposal. The memorandum assesses whether the proposed amendments trigger a finding of significant effect that would require further analysis to determine transportation impacts under OAR 660-12-0060 (Transportation Planning Rule or "TPR").

The memo concludes that the proposed map and code amendments do not result in a significant change in the number of trips resulting from the dwelling units and jobs anticipated within the BRCP district compared to the traffic anticipated and planned for in Oregon City's Transportation System Plan (TSP) adopted in 2013. Therefore, the proposed amendments do not have a significant effect on the transportation system and that the city may adopt findings to that effect when adopting the proposed amendments. **This criterion is met.**

D. Statewide planning goals shall by addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.

Response: The acknowledged Oregon City Comprehensive Plan (OCCP) addresses all of the applicable Statewide Planning goals unless the Statewide Goal is inapplicable. The relevant sections of the OCCP implemented by this proposal, and the applicable Statewide Goals, is indicated below.

Statewide Planning Goal	**OCCP Section / Goal(s) Implemented by this Proposal**
1: Citizen Involvement	1. Citizen Involvement / Goals 1.2, 1.4
2: Land Use Planning	2. Land Use Planning / Goals 2.1, 2.3, 2.4, 2.5, 2.6, 2.7
3: Agricultural Lands	3. Not applicable within UGB
4: Forest Lands	4. Not applicable within UGB
5: Natural Resources, Scenic and Historic Areas, and Open Spaces	5. Open Spaces, Scenic and Historic Areas, and Natural Resources / Goals 5.1, 5.4
6: Air, Water and Land Resources Quality	6. Quality of Air, Water, and Land Resources / Goals 6.1, 6.2
7: Areas Subject to Natural Hazards	7. Natural Hazards / Goal 7.1
8: Recreation Needs	8. Parks and Recreation / Goal 8.1,

9: Economic Development	9. Economic Development / Goals 9.1, 9.3, 9.5, 9.7, 9.8
10: Housing	10. Housing / Goals 10.1, 10.2
11: Public Facilities and Services.	11. Public Facilities / Goals 11.1, 11.6, 11.7
12: Transportation	12: Transportation / Goal 12.1
13: Energy Conservation	13. Energy Conservation / Goal 13.1
14: Urbanization	14. Urbanization / Goal 14.3
15: Willamette River Greenway	Not affected by this proposal.
16: Estuarine Resources	Not applicable.
17: Coastal Shorelands	Not applicable.
18: Beaches and Dunes	Not applicable.
19: Ocean Resources	Not applicable.

Detailed responses to the OCCP goals and policies are provided in Section III.b below.

III.b. OREGON CITY COMPREHENSIVE PLAN GOALS AND POLICIES

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.

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.

Response: **The proposal is consistent with these Goals and Policies**. The project provided numerous opportunities for citizen involvement, including engagement with the Citizen Involvement Committee, the Caufield Neighborhood Association, property owners, and other stakeholders through multiple avenues throughout the eight-month project planning process with multiple notification and participation options provided. See Section I.c for full summary of citizen involvement efforts.

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.

Response: The proposal maps and supplements existing zoning district standards for the R-5, R-2, NC, MUC-II, and CI zones that have been found to support efficient and sustainable development. The BRCP envisions the area developed with vibrant, walkable, amenity rich neighborhoods with active community centers, as mapped and implemented by this proposal. The proposed code amendments further support efficient land use by providing residential density bonuses, FAR minimums for mixed-use development, and requiring sustainable design features for industrial development. **The proposal is consistent with this Goal.**

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.

Response: The proposed code amendments create additional incentives for efficient land use in the BRCP district beyond the existing code standards, including higher minimum FARs for development in the two mixed-use zones and reduced setbacks and landscaping area for the NC zone applied to the Main Street subdistrict. The OCMC already includes parking maximums in OCMC 17.52.020. **The proposal is consistent with this Policy.**

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.

Response: The proposed map amendments apply two existing mixed-use zones with the BRCP area, the MUC-II and NC zones. In addition to the mix of office, commercial and residential uses allowed in the base zones, the proposed code amendments expand the mix of uses including allowing light manufacturing uses in the MUC-II zone. The proposed code amendments limit the scale and percentages of different categories of uses, including limiting residential uses to upper stories or ground-floor uses set back a minimum distance from the main roadways, to provide for a greater mix of uses. The proposed code amendments also introduce opportunities for small-scale commercial uses in the R-2 zone for additional opportunities for mixed-use development. **The proposal is consistent with this Policy.**

Goal 2.3 Corridors

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

Response: The proposed map amendments apply two existing mixed-use zones with the BRCP area, the MUC-II and NC zones, along Beavercreek Road, which has potential to be a future transit corridor as development increases potential ridership numbers. The higher-intensity residential development zoned R-2 is also located along Beavercreek Road, compared to medium-density residential areas zoned R-5 located further east away from major roads. In addition, the site is near the Clackamas Community College which has a transit center for Tri-Met. **The proposal is consistent with this Goal.**

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.

Response: The essence of the BRCP is to establish a district with interconnected, vibrant neighborhoods. The proposed map amendments support a mix of uses throughout the district, included a district focal point in the Main Street subdistrict zoned NC that will serve as the hub for the district's neighborhoods. The proposed code amendments also support development of smaller-scale activity centers throughout the district, such as permitting small-scale commercial uses with the East Mixed-Use Neighborhood zoned R-2 and supporting creation of the South-Central Open Space Network through required parkland dedications. **The proposal is consistent with this Policy.**

Policy 2.4.3

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

Response: The BRCP plans for multimodal transportation networks throughout the district, as supported by the proposed map and code amendments. The proposed code amendments support creation of the South-Central Open Space Network through required parkland dedications, which will form a linear park and multimodal trail connecting multiple subdistricts. **The proposal is consistent with this Policy.**

Goal 2.5 Retail and Neighborhood Commercial

Encourage the provision of appropriately scaled services to neighborhoods.

Response: The map amendments, consistent with the BRCP map, provide for a Main Street subdistrict zoned NC in close proximity to the residential East and West Mixed-Use Neighborhoods. In addition, the proposed code amendments add opportunities to integrate small-scale commercial uses in the West Mixed-Use Neighborhood zoned R-2. **The proposal is consistent with this Goal.**

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.

Response: The map amendments, consistent with the BRCP map, provide for a Main Street subdistrict zoned NC in close proximity to the higher-density West Mixed-Use Neighborhood zoned R-2 and the Mixed Employment Village subdistrict zoned MUC-II that will support office uses. There are no commercial strips proposed adjacent to lower-density housing in the East Mixed-Use Neighborhood zoned R-5. **The proposal is consistent with this Policy.**

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.

Response: The proposed code amendments include requirements for sustainable design features for industrial development within the North Employment Campus zoned CI; the menu of features includes LEEDTM-certified buildings and use of native vegetation. The proposed code amendments also provide for an enhanced landscaping buffer incorporating berms and fencing between the industrial subdistrict and adjacent residential development in the East Mixed-Use Neighborhood. The BRCP includes plans for a multimodal transportation network that will be built out as development occurs. **The proposal is consistent with this Policy.**

Goal 2.6 Industrial Land Development

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

Response: The map amendments designate 236.1 gross acres, estimated at 132.1 net acres for Industrial designation and Campus Industrial zoning; the North Employment Campus is the largest of all the BRCP subdistricts. All Metro Title 4

land protected for employment use has been designated and zoned CI. The existing CI zone allows a range of uses that support family-wage jobs, such as light manufacturing; the proposed code amendments further protect job generation potential by limiting the amount of site area that can be used for outdoor storage areas and prohibiting distribution and warehouse uses, which typically do not generate significant job opportunities. **The proposal is consistent with this Goal.**

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.

Response: The map amendments ensure that land planned for industrial use is protected for industrial purposes by zoning it CI. The CI zoning code standards limit non-industrial uses, and the proposed code amendments further limit the size of any supporting retail or office to 5,000 SF per establishment or 20,000 per development. Existing residential uses on a handful parcels within the North Employment Campus are permitted outright, rather than rendered nonconforming uses, but no new residential uses are permitted. **The proposal is consistent with this Policy.**

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.

Response: The CI zoning code standards already prohibit schools and churches; parks, trails and urban agriculture uses are proposed as permitted uses in the code amendments for the North Employment Campus subdistrict, intended to apply within the powerline easement areas that would otherwise be undevelopable for industrial use. The proposed code amendments limit the size of any supporting commercial use to 5,000 SF per establishment or 20,000 per development. **The proposal is consistent with this Policy.**

Policy 2.6.4

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

Response: Much of the North Employment Campus industrial lands are currently undeveloped. The map amendments applying the CI zone will protect these lands from incompatible development through existing CI use standards. The CI zoning

code standards limit non-industrial uses, and the proposed code amendments further limit the size of any supporting retail or office to 5,000 SF per establishment or 20,000 per development. Existing residential uses on a handful parcels within the North Employment Campus are permitted outright, rather than rendered nonconforming uses, but no new residential uses are permitted. The CI zoning code standards also prohibit schools and churches; parks, trails and urban agriculture uses are proposed as permitted uses in the code amendments for the North Employment Campus subdistrict, intended to apply within the powerline easement areas that would otherwise be undevelopable for industrial use. **The proposal is consistent with this Policy.**

Policy 2.6.5

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

Response: A central feature of the BRCP is the integration of residential and employment opportunities to create possibilities to live, work and play in the district. The proposed map amendments will create residential and employment districts in close proximity, including two mixed-use districts with both residential and employment opportunities. **The proposal is consistent with this Policy.**

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.

Response: CCC was identified as a stakeholder in the implementation project, and was engaged in the map and code development. The proximity of the North Employment Campus and the CCC campus create an exciting opportunity for future industrial developments in the BRCP area that partner with CCC as training centers and future employers. The existing CI use standards permit a wide range of industrial uses, including light manufacturing and research and development, that could accommodate future industrial uses within the BRCP district. **The proposal is consistent with this Policy.**

Policy 2.6.7

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

Response: Public facility master planning has been completed for the district, and planned water, sewer, stormwater, and transportation facilities have been shown to support the full 5,734 jobs projected with this implementation project. See response to approval criteria 17.68.020.B and C in Section III.a. All proposed industrial

development will be reviewed through the Site Plan and Design Review process in OCMC 17.62 that includes a criteria for approval for any new development that public facilities are adequate to support the proposal. **The proposal is consistent with this Policy.**

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.

Response: The lands east of CCC have been incorporated into the BRCP and envisioned for industrial development that encourages family-wage jobs. The proposed map amendments, guided by the approved concept plan, designate this area for Industrial designation and Campus Industrial zoning. The existing CI zone allows a range of uses that support family-wage jobs, such as light manufacturing; the proposed code amendments further protect job generation potential by limiting the amount of site area that can be used for outdoor storage areas and prohibiting distribution and warehouse uses, which typically do not generate significant job opportunities. **The proposal is consistent with this Policy.**

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.

Response: The proposal includes amendments to the official Comprehensive Plan Land-Use Map as part of on-going maintenance to update designations for the BRCP area. **The proposal is consistent with this Goal.**

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)*

Response: The proposed comprehensive plan map amendments apply the Medium Density Residential, High Density Residential, Mixed Use Corridor, and Industrial designations to the BRCP area, with zoning classifications that are consistent with these designations. **The proposal is consistent with this Policy.**

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.

Response: The BRCP prioritizes an open space network that preserves identified environmental resource areas, parks, trails, and viewpoints, including the South-Central Open Space Network and the Low Impact Conservation Area upslope of Thimble Creek on the eastern edge of the district. The map amendments will include mapping and applying the Natural Resources Overlay District (NROD)—OCMC 17.49 and Geologic Hazards—OCMC 17.44 to habitat areas. The proposed code amendments will create the South-Central Open Space Network through required parkland dedication at the time of development, protect trail corridors throughout the district's open space system by requiring dedication of easements at the time of development, and protect the Low Impact Conservation Area by limiting development to two units per acre and protecting view corridors. **The proposal is consistent with this Goal.**

Policy 5.1.1

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

Response: The existing Natural Resources Overlay District (NROD) will be applied to all riparian corridors and the Geologic Hazards standards will be applied to all steep hillsides to conserve those areas. **The proposal is consistent with this Policy.**

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.

Response: The proposed amendments do not include any changes to OCMC 17.44, Natural Resources Overlay District, or to OCMC 17.49 – Geologic Hazards. These acknowledged codes are intended to conserve, protect and restore inventoried natural resources within the City's Urban Growth Boundary. **The proposal is consistent with this policy.**

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*

Response: The proposed amendments do not include any changes to OCMC 17.44, Natural Resources Overlay District, which provides for a vegetated corridor and shading along street corridors, or to the City's recently adopted stormwater and erosion control standards, design manuals or review processes. **The proposal is consistent with this policy.**

Goal 6.1 Air Quality

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

Response: The proposed amendments will not affect any codes or policies that implement Goal 6. The City's overlay districts, such as the Natural Resource Overlay District, Flood Management Overlay, and Geologic Hazards Overlay will apply regardless of the proposed changes. All engineering standards and building code standards for storm drainage, grading, erosion control, water quality facilities will continue to apply to development. Oregon Dept. of Environmental Quality (DEQ) air and water quality permits are required separately for new development. **The proposal is consistent with this Goal.**

Policy 6.1.2

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

Response: Oregon Dept. of Environmental Quality (DEQ) air and water quality permits are required separately for new development. Oregon City planning and

engineering staff are included in the coordination of these permits prior to issuance by DEQ. **The proposal is consistent with this Policy.**

Goal 6.2 Water Quality

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

Response: Oregon Dept. of Environmental Quality (DEQ) air and water quality permits are required separately for new development. Oregon City planning and engineering staff are included in the coordination of these permits prior to issuance by DEQ. **The proposal is consistent with this Policy.**

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.

Response: All engineering standards and building code standards for storm drainage, grading, erosion control, and water quality facilities will continue to apply to development. **The proposal is consistent with this Policy.**

Policy 6.2.2

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

Response: All engineering standards and building code standards for storm drainage, grading, erosion control, and water quality facilities will continue to apply to development. **The proposal is consistent with this policy.**

Goal 7.1

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

Response: Development within the Natural Resources Overlay District and Geologic Hazards Overlay District (which includes sloped and historic landslide areas) is limited by development standards in the Municipal Code to protect the public.

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.

Response: Development within the Natural Resources Overlay District and Geologic Hazards Overlay District (which includes sloped and historic landslide areas) is limited by development standards in the Municipal Code to protect the public.

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.

Response: The BRCP prioritizes a network of parks, trails, and open spaces, including the South-Central Open Space Network. The proposed code amendments will support creation of the South-Central Open Space Network through required parkland dedication at the time of development and protect trail corridors throughout the district's open space system by requiring dedication of easements at the time of development. **The proposal is consistent with this Goal.**

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.

Response: The South-Central Open Space Network will create park facilities within proposed neighborhoods; all residences will be within approximately 1/4 mile of the network, which will include multiple elements including features similar to a neighborhood park-type facility and a multipurpose trail. The proposed code amendments will create the South-Central Open Space Network through required parkland dedication at the time of development. **The proposal is consistent with this Policy.**

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.

Response: There are no existing parks in the BRCP area, however, future park facilities in the South-Central Open Space Network will be expanded over time as the properties in the district are developed. The proposed code amendments will create the South-Central Open Space Network through required parkland dedication at the time of development, and include provisions for dedication of land within the mapped South-Central Open Space Network to allow the facility to expand and maintain connectivity throughout the district. **The proposal is consistent with this Policy.**

Policy 8.1.5

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

Response: The BRCP identifies a network of off-street trails including regional trails throughout the district. The proposed code amendments will protect identified trail corridors by requiring dedication of easements at the time of development. **The proposal is consistent with this Goal.**

Policy 8.1.9

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

Response: Passive recreation areas will include open space areas and environmental resource areas. The Natural Resources Overlay District (NROD)—OCMC 17.49 and Geologic Hazards—OCMC 17.44 will be applied to habitat areas which promote retention of natural conditions. In addition, the proposed code amendments include provisions for the Low Impact Conservation Area that require environmental restoration as a condition of any adjacent development. **The proposal is consistent with this Policy.**

Policy 8.1.12

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

Response: The BRCP identifies and prioritizes a network of parks, trails, and open spaces, including the South-Central Open Space Network. The proposed code amendments will support creation of the South-Central Open Space Network through required parkland dedication at the time of development and protect trail corridors throughout the district's open space system by requiring dedication of easements at the time of development. **The proposal is consistent with this Policy.**

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.

Response: The proposed code amendments will require parkland dedication to create the South-Central Open Space Network as part of subdivision review process. **The proposal is consistent with this Policy.**

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.

Response: A core aspect of the BRCP is to create economic opportunities, and the proposed map and code amendments implement three distinct subdistricts focused on employment opportunities. The North Employment Campus, proposed for CI zoning, will provide family-wage employment opportunities. The two mixed-use subdistricts in the Mixed Employment Village and Main Street will provide goods and services, and additional jobs in those sectors. In total, the proposal is estimated to support up to 5,734 jobs, exceeding the BRCP goal of 5,000 jobs. The proposed code amendments include provisions such as sustainable design elements for industrial development and the inherent efficiencies of mixing uses within the district and individual subdistricts to reduce distances travelled to live, work, shop and eat, which will support ecologically sound economic growth. **The proposal is consistent with this Goal.**

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.

Response: Three of the BRCP subdistricts, proposed to be implemented through map and code amendments, will support commercial and industrial development. The North Employment Campus, proposed for CI zoning, will support primarily industrial development with family-wage employment opportunities. The Mixed Employment Village subdistrict will provide support high-quality commercial and office employment, with similar opportunities in the Main Street subdistrict. In total, the proposal is estimated to support up to 5,734 jobs, exceeding the BRCP goal of 5,000 jobs. The proposed code amendments include provisions such as sustainable design elements for industrial development and the inherent efficiencies of mixing uses within the district and individual subdistricts to reduce distances travelled to live, work, shop and eat, which will support ecologically sound economic growth. Natural resources will be protected through the Natural Resources Overlay District (NROD)—OCMC 17.49 and Geologic Hazards—OCMC 17.44 to habitat areas to ensure development does not compromise the quality of the environment. As discussed in response to Goals 6.1 and 6.2 above, compliance with existing state and local air and water standards will ensure protection of those resources at the time of future development. **The proposal is consistent with this Policy.**

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.)

Response: The BRCP prioritizes recruitment of sustainable industries, which could include traded sector industries. The proposed map and code amendments support this goal by creating development opportunities for such industries within the proposed North Employment Campus and Mixed Employment Village subdistrict. Additional recruitment efforts will be led by the City's Economic Development Department. **The proposal is consistent with this Policy.**

Goal 9.3 Retention of Existing Employers

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

Response: The proposed map and code amendments will create significant new acreage for industrial and employment growth, which could be acquired and developed by existing employers looking to expand their operations. **The proposal is consistent with this Policy.**

Policy 9.3.1

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

Response: The proposed map amendments will not create any incompatible land uses near existing industries. The proposed map and code amendments will create significant new acreage for industrial and employment growth, which could be acquired and developed by existing employers looking to expand their operations. **The proposal is consistent with this Policy.**

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.

Response: The proposed map and code amendments will support the creation of the Main Street subdistrict along Glen Oak Road providing retail and shopping opportunities for the immediate BRCP district and nearby areas. The code amendments specifically support retail development by limiting residential uses to upper stories and the rear portion of sites, to ensure commercial development remains the priority. Limited retail outlets are also permitted under the proposed

code amendments for the Mixed Employment Village to support those who work and live in the subdistrict. **The proposal is consistent with this Goal.**

Policy 9.5.1

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

Response: The BRCP district is undeveloped and as such, does not have existing commercial or existing neighborhoods; the plan as implemented by the proposed map and code amendments proactively creates opportunities to blend commercial development within neighborhoods. The proposed map and code amendments create opportunities for retail and commercial development primarily within the Main Street subdistrict, which is located along Glen Oak Road interior to the district, rather than strung out as a linear commercial development along Beavercreek Road. The proposed code amendments also allow small-scale retail and commercial development within the West Mixed-Use Neighborhood to the south of the Main Street subdistrict. **The proposal is consistent with this Policy.**

Policy 9.5.2

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

Response: No changes are proposed to adopted infrastructure master plans for water, sewer and stormwater and the Transportation System Plan (TSP) which will ensure provision of necessary services to industrial lands within and outside of the BRCP district. **The proposal is consistent with this Policy.**

Goal 9.7 Home-Based Businesses

Provide a supportive climate for home-based businesses.

Response: The City has already adopted standards and permitting processes for home occupations, defined by OCMC 17.04.580 and permitted in all residential zones. The City has developed a worksheet to support owners of home occupations to comply with business licensing and zoning requirements. (See https://www.orcity.org/sites/default/files/fileattachments/economic_development/page/4592/2016_home_occupation_worksheet_-_fillable.pdf) Home-based businesses will similarly be allowed and supported within residential areas of the BRCP district. **The proposal is consistent with this Goal.**

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.

Response: No changes are proposed to adopted home occupation standards in OCMC 17.04.580, which limit disruptions to neighborhood residential character by prohibiting non-resident employees, prohibiting retail sales onsite, prohibiting off-site sound impacts, prohibiting outdoor uses, and requiring that uses are secondary to the residential purpose of the dwelling. During the development of the code amendments, a "cottage industry" concept was explored to permit small-scale manufacturing based businesses as home occupations within the BRCP neighborhoods, such as welding or cabinet making. Some small-scale manufacturing could be permitted under the existing home occupations code, provided it was conducted indoors and did not generate off-site sound impacts, however, changes to the home occupation standards to promote such uses or loosen current restrictions are not recommended based on citizen feedback concerning potential disruptions to residential neighborhood character. During the April 9, 2019 public workshop, citizens shared concerns that noise and visual impacts from potential cottage manufacturing uses could be a conflict with residential neighborhoods, as well as concern that the smaller homes and dwelling types proposed in the BRCP neighborhoods would not have sufficient room for such uses or sufficient buffering between residences. Therefore, existing home occupation standards are proposed for BRCP neighborhoods to encourage home-based businesses while limiting disruptions to residential neighborhoods. **The proposal is consistent with this Policy.**

Policy 9.7.2

Encourage the support services that home-based businesses need.

Response: No changes are proposed to adopted home occupation standards in OCMC 17.04.580 or City policies to support business owners. The City will continue to work with business owners to support them in obtaining business licenses. The plan provides nearby mixed use and employment districts to support home based businesses. **The proposal is consistent with this Policy.**

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.

Response: The adopted BRCP transportation strategy includes elements such as planning a mixed-use community that will increase options for internal trip making, developing a framework of collector streets, improving Beavercreek Road itself to accommodate trips within and through the district, and developing off-site transportation connections guided by the Transportation System Plan; the transportation strategy was developed to serve the intended industrial and

commercial development in each subdistrict. The proposed map and code amendments provide for the intended types of development in each subdistrict, that will be served by existing and planned transportation elements. **The proposal is consistent with this Goal.**

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.

Response: The adopted BRCP sets the stage for future transit by providing transit-attractive destinations, such as high-density employment and residential nodes, and a logical network of roadways that would support future transit routes. The proposed map and code amendments support future transit improvements by implementing the plan subdistricts that concentrate job and housing densities near Beavercreek Road and the transit center at Clackamas Community College. **The proposal is consistent with this Policy.**

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.

Response: The adopted parking standards permit shared parking facilities per OCMC 17.52.020.B.2, and will apply to development within the BRCP area. Additional transportation demand management techniques are more appropriate for individual businesses to develop, and can be implemented at the time of development. **The proposal is consistent with this Policy.**

Policy 9.8.6

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

Response: There are no existing employers within the BRCP area that will be affected by the proposed map and code amendments. However, the amendments will support development of a multimodal transportation system throughout the BRCP area consistent with adopted transportation strategies, including transit, sidewalks, bike routes, and off-street trail network that will serve future employers in the North Employment Campus and throughout the district. **The proposal is consistent with this Policy.**

Policy 9.8.7

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

Response: The adopted transportation strategies in the BRCP include development of on and off-street pedestrian and bicycle facilities throughout the district; an elevator mode is not proposed because it is not suitable for the district's topography. The proposed map and code amendments support future development of these facilities by requiring facilities to be constructed at the time of site development. **The proposal is consistent with this Policy.**

Goal 10.1 Diverse Housing Opportunities

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

Response: The BRCP prioritizes a variety of housing types for a range of income levels across the different subdistricts. The proposed map and code amendments support these goals by implementing the West and East Mixed Use Neighborhoods, with additional residential opportunities in the mixed-use Main Street and Mixed Employment Village subdistricts. The proposed zoning districts for the West and East Mixed-Use Neighborhoods are R-2 and R-5, respectively; these districts were significantly revised as part of the Amendments to the Oregon City Municipal Code (including the Equitable Housing Project recommendations) earlier in 2019 to better meet this goal. The housing code amendments allow for a broad range of housing options collectively referred to as "missing middle housing," defined as a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for housing choices at a variety of scales across a variety of neighborhoods, encouraging a more diverse housing stock in residential zones that are currently dominated by single-family residential homes. The proposed map and code changes with this proposal implement these zones and will guide planning and development of a variety of housing types and lot sizes. **The proposal is consistent with this Goal.**

Policy 10.1.1

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

Response: There are no established older neighborhoods in the BRCP area, however, there are a handful of existing residences. The proposed code amendments will permit existing homes with proposed CI zoning to remain permitted uses rather than making them nonconforming uses. **The proposal is consistent with this Policy.**

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.

Response: No changes are proposed to the code enforcement standards or policies with this proposal. As neighborhoods are developed in the BRCP area, code enforcement will ensure housing and neighborhoods are maintained in good condition. **The proposal is consistent with this Policy.**

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.

Response: The proposed map amendments designate land for a variety of densities and types of housing as follows: 25.1 gross acres of High Density Residential with R-2 zoning, 136.7 gross acres of Medium Density Residential with R-5 zoning, and 13.5 gross acres of Mixed-Use Corridor with NC zoning for mixed-use residential development. The existing zoning standards for these districts permit a range of densities for different housing types ranging from a minimum of 7.0 units per net acre for single-family detached homes in the R-5 zone to a maximum of 21.8 units per net acre for townhouse and multifamily development in the R-2 zone, or up to 26.2 units per net acre for projects that incorporate sustainability features in the proposed code amendments. **The proposal is consistent with this Policy.**

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.

Response: The proposed map and code amendments apply the revised R-5 and R-2 zoning district standards that were developed as part of the Equitable Housing Project specifically to provide greater variety of affordable housing options, both regulated, income-restricted housing options and market-rate housing options that are lower priced and thus affordable to housing with lower household incomes. The variety of housing types allowed in both zones will provide opportunities to integrate affordable housing into the BRCP neighborhoods as they are developed. **The proposal is consistent with this Policy.**

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.

Response: Accessory Dwelling Units (ADUs) are permitted in both the R-5 and R-2 zoning districts proposed for the BRCP neighborhoods with this proposal; no further changes to the ADU regulations are included with this proposal. Code revisions adopted with the Amendments to the Oregon City Municipal Code (including the Equitable Housing Project recommendations) included a provision in OCMC 16.08.095 that restricts new subdivisions from applying code, covenants, and restrictions (CC&Rs) that prohibit ADUs, which will ensure that new developments within the BRCP are not restricted by public zoning code or private CC&Rs from developing ADUs. **The proposal is consistent with this Policy.**

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.)

Response: The Oregon City Municipal Code does not differentiate between manufactured housing and other housing types on individual lots and the proposed code amendments do not propose to change this; an individual manufactured house is permitted on any lot where a single-family detached, site-built house would be permitted in the BRCP neighborhoods under the proposed R-5 and R-2 zoning. **The proposal is consistent with this Policy.**

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.

Response: The proposed map amendments apply the R-2 and R-5 zoning districts within the BRCP, which already incorporate numerous incentives and development standards to support livability and stability. The proposed code amendments further support livable neighborhoods by requiring parkland dedication or fee-in-lieu for all new subdivisions and multifamily developments, to create the South-Central Open Space Network with park and trail facilities serving the BRCP neighborhoods. The proposed amendments also include a density bonus option as an incentive for multifamily development to incorporate sustainability features. **The proposal is consistent with this Policy.**

Goal 10.2 Supply of Affordable Housing

Provide and maintain an adequate supply of affordable housing.

Response: The proposed map amendments add significant buildable residential land to the City's inventory, including 12.1 net acres of buildable land zoned R-2 in the West Mixed Use Neighborhood and 64.5 net acres of buildable land plus 15.9 acres of constrained land zoned R-5 in the East Mixed Use Neighborhood and additional opportunities in the two mixed-use subdistricts with a combined estimated potential for 1,105 new housing units. Maintaining an adequate supply of buildable land will help keep housing prices affordable by reducing land scarcity. These areas will be developed under the R-5 and R-2 zoning district standards recently amended with the Amendments to the Oregon City Municipal Code (including the Equitable Housing Project recommendations) project that expand the range of housing types permitted, decrease minimum lot sizes for many types, and increase density for some missing middle housing types. Together, these standards create opportunities to build market-rate housing that is more affordable than traditional single-family detached, large-lot subdivisions. **The proposal is consistent with this Policy.**

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.

Response: The proposed map amendments commit a total of 161.8 gross acres of land for residential use, consistent with the BRCP map; no existing residential land or affordable housing will be lost with this proposal. **The proposal is consistent with this Policy.**

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.

Response: The proposed map amendments apply the R-2 zone to the West Mixed Use Neighborhood, and existing R-2 code standards provide up to a 20% density bonus for affordable units at 80% AMI for a minimum term of 30 years for apartment projects. No further changes to the affordable housing density bonus is proposed with this project. **The proposal is therefore consistent with this policy.**

Policy 10.2.3

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

Response: (From Comprehensive Plan, P. 77):

> *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.*

The proposed map and code amendments support affordable housing creation consistent with Title 7 through compliance with Goal 10.2 and Policies 10.2.1 through 10.2.4, as demonstrated in this section. **The proposal is consistent with this Policy.**

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).

Response: As mentioned in Policy 10.1.4, the West Mixed Use Neighborhood will be zoned R-2 under the proposed map amendments and the R-2 standards include a 20% density bonus for affordable units at 80% AMI for a minimum term of 30 years. The West Mixed Use Neighborhood is located along Beavercreek Road and the future Center Parkway which have been identified as potential future public transportation routes. **The proposal is consistent with this Policy.**

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*

Response: As demonstrated within this report the aforementioned systems can accommodate the impact anticipated in the Concept Plan.

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

Response: As demonstrated within this report the aforementioned systems can accommodate the impact anticipated in the Concept Plan.

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.

Response: The adopted BRCP includes interconnected land use and transportation elements that ensure appropriately scaled multimodal facilities will serve future development. The plan establishes a variety of interconnected subdistricts with a mix of uses that increase opportunities for local trips while decreasing total trips utilizing the broader transportation network. The proposed map and code amendments implement this vision to balance land use and transportation goals; the proposal is supported by a transportation memo prepared by DKS that concludes that development associated with the proposal can be served by the planned City-wide transportation system. **The proposal is consistent with this Goal.**

Policy 12.1.1

Maintain and enhance citywide transportation functionality by emphasizing multi-modal travel options for all types of land uses.

Response: The adopted BRCP includes multimodal transportation provisions. As development occurs, on-street and off-street pedestrian and bicycle facilities will be required to be constructed as outlined in the plan. The proposed map and code amendments are consistent with the BRCP and will support expanded multimodal facilities throughout the district serving all the different land uses from industrial to residential. **The proposal is consistent with this Policy.**

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.

Response: The proposed map and code amendments create mixed-use subdistricts including the NC-zoned Main Street and MUC-II-zoned Mixed Employment Village that permit high-density residential development, as well as a mix of uses within the district as a whole across the five subdistricts. The map and code amendments will facilitate a mix of uses at higher residential densities along Beavercreek Road, including the two aforementioned mixed-use districts and the R-2-zoned West mixed Use Neighborhood. There are no significant existing buildings within the BRCP area affected by this policy. **The proposal is consistent with this Policy.**

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.

Response: Walkability is a central goal of all the BRCP neighborhoods, and is supported by the proposed map and code amendments. Neighborhoods will built around blocks with a maximum block length of 530 feet, except for the industrial areas in the North Employment Campus, consistent with zoning standards in OCMC 16.12.030 for implementing districts that create easily walkable neighborhoods that minimize out-of-direction travel by pedestrians. On-street pedestrian facilities will be required consistent with green street cross-sections which create a desirable walking environment, in addition to an off-street trail network. The proposed code amendments support a compelling, walkable Main Street subdistrict along Glen Oak road by requiring building presence along a minimum percentage of the site and limiting parking areas to the rear of the site. **The proposal is consistent with this Policy.**

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.

Response: The Concept Plan includes an efficient mix of uses to allow those that leave in or near the site to also obtain amenities and employment nearby.

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.

Response: The proposed map and code amendments implement an adopted concept plan for Beavercreek Road. The Sanitary Sewer Master Plan (2014), Water Distribution Master Plan (2012), Stormwater Master Plan (2019 Draft), and Transportation System Plan (2013) were all created subsequent to initial adoption of the BRCP in 2008 and plan for public services to serve residential and employment growth forecasted for the concept plan area. The proposed map and code amendments are estimated to support 1,105 dwellings and 5,734 jobs, consistent with demand forecasted and planned for in adopted capital improvements plans. **The proposal is consistent with this Goal.**

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.

Response: The proposed map and code amendments provide for higher densities in the BRCP area to maximize utility of new public facilities developed to serve the area. Residential development will be subject to high and medium-density residential standards in the R-2 and R-5 districts respectively. Both zones have minimum density standards equal to 80% of the maximum allowed density, to ensure higher density development, as well as opportunities for types like cluster housing, duplexes, and 3-4 plexes in the R-5 zone that allow higher densities than would otherwise be permitted for single-family detached residential uses. Employment development in the two mixed-use districts will be subject to FAR minimums under the proposed code amendments to ensure efficient use of land and public facilities. **The proposal is consistent with this Policy.**

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.

Response: The adopted Sanitary Sewer Master Plan (2014), Water Distribution Master Plan (2012), Stormwater Master Plan (2019 Draft), and Transportation System Plan (2013) ensure that public facilities are extended to new areas, including the BRCP area and development anticipated through the proposed map and code amendments, without compromising the ability to provide services to existing areas and residents of the city that meet adopted service standards. **The proposal is consistent with this Policy.**

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.

Response: The BRCP area is within the future service area of city utility providers and no new urban service districts or utility districts are proposed. **The proposal is consistent with this Policy.**

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 possible.

Response: All development proposed with the BRCP area under the proposed map and code amendments will be subject to development review, which requires that new development provide for on-site and off-site public services needed to serve the development. The City has also adopted System Development Charges (SDCs) that are assessed at the time of development to pay for the costs of expanding public services. **The proposal is consistent with this Policy.**

III.c. BEAVERCREEK ROAD CONCEPT PLAN GOALS AND POLICIES

Goal 1 Complete and Sustainable Community

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

Response: The proposal implements the plan vision for a mix of uses within the district and within individual subdistricts, notably the Mixed Employment Village and the Main Street subdistricts. Housing is provided for in all subdistricts except the North Employment Campus. Services are permitted through proposed zoning standards in all subdistricts except the East Mixed Use Neighborhood. Public spaces

are provided for consistent with the BRCP, including the South Central Open Space Network, powerline corridor and trail network. Many of the zoning standards, particularly the expanded residential zones, support compact development, coupled with resource protection standards for sensitive environmental areas. Much of the sustainable infrastructure planning, including LID stormwater and green street designs, was done with the BRCP and can be implemented at the time of site development. **The proposal is consistent with this Goal.**

Policy 1.1

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

Response: The proposal applies comprehensive plan and zone designations to implement the BRCP, with development code amendments that supplement existing zoning district standards for each subdistrict to fully implement the BRCP vision for those subdistricts. Development will be reviewed for conformity with the implementing code through the development review process; discretionary development applications, such as master plans, will be required to comply with the Concept Plan as well. **The proposal is consistent with this Policy.**

Policy 1.2

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

North Employment Campus – NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting incompatible uses. The sub-district is intended to comply with Metro's Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Response: The NEC subdistrict will be implemented with the Industrial comprehensive plan designation and the Campus Industrial (CI) zoning district. The permitted uses in OCMC 17.37.020 include a range of industrial, light manufacturing, research and development, and corporate headquarters uses that support family-wage employment. The proposed additional code standards for the NEC include limitations on retail and service uses to 5,000 SF per use or 20,000 SF total per site to limit incompatible uses. The proposed code standards and subdistrict boundaries have been reviewed against Metro Title 4 maps and code requirements. Site and building design for development in the subdistrict will be required to implement green design features from a menu proposed in OCMC 17.37.060.G. Outside of the code and map implementation projects, supporting efforts to build relationships with CCC and to recruit businesses with sustainable practices will be led by the City's Economic Development department. **The proposal is consistent with this Policy.**

Mixed Employment Village – MEV

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

Response: The MEV subdistrict will be implemented with the Mixed Use Corridor comprehensive plan designation and the Mixed Use Corridor-2 (MUC-2) zoning district. The permitted uses in OCMC 17.29.020, with refinements in proposed OCMC 17.29.080.C, include a range of retail, office, civic and residential uses. Proposed use standards also limit the percentage of building area that can be used for retail, service, and residential uses, to ensure that employment uses are also integrated into site development. Minimum FAR standards will support higher intensity development that will support future transit service. Site and building design for development in the subdistrict will be support an urban, pedestrian friendly setting through a height limit of 60 feet to permit multistory construction, maximum setbacks to bring development up to the street, and prohibition on

ground floor residential uses to support active ground floor uses. (See existing OCMC 17.29 and proposed 17.29.080.) Additional building and site development standards in OCMC 17.62.050 will apply at the time of development. Outside of the code and map implementation projects, supporting efforts to build relationships with CCC and to recruit businesses with sustainable practices will be led by the City's Economic Development department. **The proposal is consistent with this Policy.**

Main Street – MS

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

Response: The MC subdistrict will be implemented with the Mixed Use Corridor comprehensive plan designation and the Neighborhood Commercial (NC) zoning district. The permitted uses in OCMC 17.24.020, with refinements in proposed OCMC 17.24.050.C, include a range of retail, service and residential uses, capped at 10,000 square feet per establishment to create a small-scale character for the subdistrict. Proposed dimensional standards include a minimum height of two stories, maximum five-foot front setbacks to ensure that development engages with the street, minimum FAR of 0.5 to create more intensive development, requirement for parking areas to be located behind buildings, standards for planter boxes and urban plazas as part of required landscaping, and prohibition on ground floor residential uses to support active ground floor uses. (See existing OCMC 17.24 and proposed 17.24.050.) Additional building and site development standards in OCMC 17.62.050 will apply at the time of development. **The proposal is consistent with this Policy.**

West Mixed Use Neighborhood – WMU

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

Response: The WMU subdistrict will be implemented with the High-Density Residential comprehensive plan designation and the R-2 High-Density Residential (R-2) zoning district. Permitted residential uses, as recently expanded in the Amendments to the Oregon City Municipal Code (including the Equitable Housing Project recommendations), provide for a variety of multifamily residential, single-family attached, cluster housing, duplexes, triplexes and quadplexes. (See OCMC 17.12.020.) The proposed code amendments add live/work units as conditional uses and permit small-scale commercial and mixed-use development as part of a master plan. (See proposed OCMC 17.12.060.C.) The minimum and maximum density permitted in the R-2 district is 17.4 to 21.8 units per acre. (See OCMC 17.12.050) Up to a 20% density bonus can be earned for affordable housing or, in the WMU, for projects incorporating sustainable design features. (See proposed OCMC 17.12.D.) The base density and density bonuses together will not exceed an overall average of 22 units per acre. The density of development will support transit use, and site design will integrate pedestrian and bicycle facilities at the time of development. **The proposal is consistent with this Policy.**

East Mixed Use Neighborhood – EMU

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

Response: The EMU subdistrict will be implemented with the Medium-Density Residential comprehensive plan designation and the R-5 Medium-Density Residential (R-5) zoning district. Streets will be developed with sidewalks and street trees per adopted street standards, and may not exceed a maximum block length of 530 feet to ensure a robust, connected street network supporting walkability. (See OCMC 12.08, Street Trees; OCMC Table 16.12.016 for sidewalk widths; OCMC 16.12.030 for block spacing.) Permitted residential uses, as recently expanded in the Amendments to the Oregon City Municipal Code (including the Equitable Housing Project recommendations), provide for a variety of single-family detached, single-family attached, accessory dwelling units, cluster housing, duplexes, triplexes and quadplexes. (See OCMC 17.10.020.) The R-5 density standards will apply in the

EMU zone. (See OCMC 17.10.050.) The variety of residential uses, including smaller lot sizes for selected types, will support housing for a wider range of income levels. The smaller lot sizes and home sizes will inherently increase the efficiency and sustainability of residential development, for example, reducing heating and cooling needs, and the mix of uses in the BRCP district will support green living by reducing the need for vehicle trips. Home occupations will be permitted to provide in-home work options; see response to OCCP Policy 9.7.1 for further discussion. New development will be required to dedicate parkland for the South-Central Open Space, and view points will be created along the ridgeline through view corridor standards. (See proposed OCMC 16.12.042 and 17.10.070.C, respectively.) Trail corridors will be identified and reserved through the subdivision review process. (See OCMC 16.08.025.E.) **The proposal is consistent with this Policy.**

Policy 1.3

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

Response: Under the proposed code amendments, the NEC subdistrict permits a range of industrial, light manufacturing, research and development, and corporate headquarters uses that support family-wage employment. Outside of the code and map implementation projects, supporting efforts to build relationships with CCC and to recruit businesses with family-wage jobs will be led by the City's Economic Development department. **The proposal is consistent with this Policy.**

Policy 1.4

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

Response: Under the proposed code amendments, the MEV and MS subdistricts permit a range of employment opportunities including light manufacturing (MEV only), office, retail and service uses. Proposed code standards require that residential uses be proposed as part of a mixed-use project, rather than stand-alone residential developments, and limit residential uses to upper-stories in both the MS and MEV subdistricts. (See proposed OCMC 17.24.050.E and 17.29.080.E.) In the MS subdistrict, ground-floor residential uses may also be permitted on the rear of sites, set back a minimum of 150 feet from the front property line and not to exceed 50% of the total building site area, with a minimum density of 17.4 units per acre. (See proposed OCMC 17.24.050.E.) **The proposal is consistent with this Policy.**

Policy 1.5

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

Response: The proposed map amendments designate the MS subdistrict along Glen Oak Road, totaling 13.5 gross acres or 6.6 net acres. The gross acre numbers that we have include the ROW along Glen Oak and Center/Holly, which may be inflating this figure. **The proposal is consistent with this Policy.**

Policy 1.6

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

Response: Permitted residential uses in R-5 and R-2 zoning districts, proposed to implement the EMU and WMU subdistricts, provide for a variety of single-family detached, single-family attached, accessory dwelling units, multifamily, cluster housing, duplexes, triplexes and quadplexes. (See OCMC 17.10.020 and 17.12.020.) Lot size averaging is permitted per OCMC 16.08.065. **The proposal is consistent with this Policy.**

Policy 1.7

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

Response: Master planning is permitted in all subdistricts as a discretionary review alternative. (OCMC 17.65.) Mandatory master planning is not proposed in light of state standards requiring clear and objective residential development standards and proposed amendments which address concerns generally reserved for Master Plans, such as required park aquisition. Since 2008 when the BRCP was developed, state law has been strengthened to require a clear and objective review option for all residential and mixed-use development to provide greater certainty for housing development. (ORS 197.303, 197.307.) Master planning provisions are generally discretionary, and so should not be made mandatory for residential or mixed-use areas. Many of the concept plan provisions, such as green streets and LID stormwater development, can be implemented by existing or proposed code standards and thereby meet the master planning intent. Master planning can provide an alternative review path, with incentives such as higher densities or modifications to base zone standards like minimum lot sizes. The City could also

require master planning as a condition of annexation or zone change. **The proposal is consistent with this Policy.**

Goal 2 Model of Sustainable Design

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

Response: The greatest strength of the BRCP, as implemented by the proposed map and code changes, is the mix of uses that will support a vibrant, interconnected district. Much of the sustainable infrastructure planning, including LID stormwater and green street designs, was done with the BRCP and subsequent utility master planning, will can be implemented at the time of site development. Many of the zoning standards, particularly the expanded uses in the residential zones, support compact development, coupled with resource protection standards for sensitive environmental areas. The proposed code amendments include site-specific sustainable design features required in the NEC subdistrict through the implementing CI standards, and incentivized in the WMU subdistrict through the implementing R-2 standards in the form of a density bonus. Future implementation efforts will continue building partnerships with private and institutional stakeholders to further support sustainable development and economic development. **The proposal is consistent with this Goal.**

Policy 2.1

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

Response: Since the BRCP was initially written in 2008, the City has adopted the Stormwater and Grading Design Standards (2015), emphasize low-impact development (LID) practices, source controls for higher pollutant generating activities, erosion prevention and sediment controls, and operation and maintenance practices designed to properly manage stormwater runoff and protect our water resources. Some of the LID techniques permitted include porous pavement, green roofs, filtration planters, infiltration planters, swales, and rain gardens. (See https://www.orcity.org/publicworks/stormwater-and-grading-design-standards) **The proposal is consistent with this Policy.**

Policy 2.2

Storm water facilities will be designed so they are amenities and integrated into the

overall community design.

Response: LID techniques such as green roofs, filtration planters, infiltration planters, swales, and rain gardens, consistent with the 2015 Stormwater and Grading Design Standards, will serve as amenities integrated into the community. **The proposal is consistent with this Policy.**

Policy 2.3

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

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

Response: Many of these initiatives are ongoing and involve multiple stakeholders, which the City will continue to support. The proposed map and code amendments will directly and indirectly support a number of them. The proposed residential standards in particular support compact development by allowing a variety of residential units at higher density than permitted density for single-family detached residential uses. The City has adopted green street standards with the 2013 Transportation System Plan and the low impact development stormwater and grading design standards that will be applied to all new development. Sidewalks and bicycle lanes will be built with new roadways at the time of development to

provide alternative transportation infrastructure, as well as off-street trails. Bicycle parking will be required in new developments per OCMC 17.52.040. Tree protection, preservation, removal and replanting is regulated per OCMC 17.41 to support tree preservation. Impervious surfaces can be minimized through application of the low impact development stormwater standards, and supported by recent reductions to off-street parking required for residential uses in OCMC 17.52 with the Amendments to the Oregon City Municipal Code (including the Equitable Housing Project recommendations). **The proposal is consistent with this Policy.**

Policy 2.4

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

Response: As part of the proposed code amendments, industrial development in the NEC subdistrict will be required to incorporate sustainable design features; one option is to propose a LEED certified building. (See proposed OCMC 17.37.060.G.8.) Similarly, WMU development may elect to build to LEED standards as one option to qualify for a density bonus. (See proposed OCMC 17.12.060.D.12.) The existing site development standards in OCMC 17.62 that apply to all new development except low-density residential already include green building standards and guidelines that supports sustainability. For example, 15% site landscaping is required along with conservation of natural resource areas which, along with adopted LID stormwater standards, minimizes impervious surface and treats stormwater runoff. Mandatory green building standards for all development, beyond the sustainable features for industrial and high-density residential, are not recommended. Requiring compliance with a third-party set of standards, such as LEED, is inherently problematic because it outsources City decision-making to a third party, with standards that are updated more frequently than City code is updated. **The proposal is consistent with this Policy.**

Goal 3 Green Jobs

Attract "green" jobs that pay a living wage.

Response: The proposed map and code amendments lay the foundation for future "green" job and green industry recruitment by designating 135.1 net acres for industrial development under the CI standards, and permitting a wide range of industrial, research and development, and corporate headquarters uses. Further business recruitment efforts will be led by the City's Economic Development department and community partners to promote the BRCP area, building off the existing Beavercreek Employment Area efforts that already include a portion of the

BRCP area. (See https://www.orcity.org/economicdevelopment/beavercreek-employment-area) **The proposal is consistent with this Goal.**

Policy 3.1

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

Response: The proposed map and code amendments will support business recruitment efforts for the BRCP area that will be led by the City's Economic Development department and county, regional and state economic development representatives. The City can expand current partnerships such as the Beavercreek Employment Area Blue Ribbon Committee that include city, county and regional representatives. (See https://www.orcity.org/sites/default/files/fileattachments/economic_development/page/11230/beavercreek_employment_area_-_marketing_and_recruitment_strategy.pdf) The Committee was identified as a stakeholder in this implementation project and provided their input at a meeting held January 17, 2019. **The proposal is consistent with this Policy.**

Policy 3.2

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

Response: The proposed map and code amendments will support business promotion efforts for the BRCP area that will be led by the City's Economic Development department. The City can promote the BRCP area, building off the existing Beavercreek Employment Area efforts that already include a portion of the BRCP area. (See https://www.orcity.org/economicdevelopment/beavercreek-employment-area) **The proposal is consistent with this Policy.**

Policy 3.3

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

Response: Clackamas Community College was identified as a stakeholder in this implementation project and interviewed early in the process to incorporate their ideas into the map and code amendments. The College has participated in the Beavercreek Employment Area efforts to date as a member of the Blue Ribbon Committee and the City will continue working with the College. **The proposal is consistent with this Policy.**

Goal 4 Sustainable Industries

Maximize opportunities for sustainable industries that serve markets beyond the

Portland region and are compatible with the site's unique characteristics.

Response: The proposed map and code amendments lay the foundation for sustainable industries by designating 135.1 net acres for industrial development under the CI standards, and permitting a wide range of industrial, research and development, and corporate headquarters uses. Further business recruitment efforts will be led by the City's Economic Development department and community partners to promote the BRCP area, building off the existing Beavercreek Employment Area efforts that already include a portion of the BRCP area. (See https://www.orcity.org/economicdevelopment/beavercreek-employment-area) **The proposal is consistent with this Goal.**

Policy 4.1

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

Response: The proposed map amendments designate 236.1 gross acres with an estimated 135.1 net acres with the Industrial comprehensive plan designation and CI zoning district. Any rezoning proposal will have to show compliance with the BRCP, including this policy, which will prevent any net loss of NEC land. Much of the NEC land is designated Industrial land consistent with Metro Title 4 regulations, and is further protected from conversion to non-industrial uses by Metro standards. (See https://www.orcity.org/sites/default/files/fileattachments/planning/page/12700/title_4_map_-_employment_and_industrial_land.pdf) **The proposal is consistent with this Policy.**

Policy 4.2

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

Response: The proposed map and code amendments will support business recruitment efforts for the BRCP area that will be led by the City's Economic Development department and county, regional and state economic development representatives. The City can expand current partnerships such as the Beavercreek Employment Area Blue Ribbon Committee that include city, county and regional representatives. (See https://www.orcity.org/sites/default/files/fileattachments/economic_development/page/11230/beavercreek_employment_area_-_marketing_and_recruitment_strategy.pdf) The Committee was identified as a stakeholder in this implementation project and provided their input at a meeting held January 17, 2019. **The proposal is consistent with this Policy.**

Goal 5 Natural Beauty

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

Response: The proposed map and code amendments will protect natural resources within the future built environment of the district by requiring dedication of parkland to create the South-Central Open Space Network, requiring dedication of trail corridors identified in the BRCP, protecting trees per OCMC 17.41, and protecting riparian habitat and geologic hazard areas from development through application of the Natural Resources Overlay District in OCMC 17.49 and the Geologic Hazards Overlay Zone in OCMC 17.44. **The proposal is consistent with this Goal.**

Policy 5.1

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

Response: All future development in the areas affected by this proposal will be required to comply with tree protection standards in OCMC 17.41, which include replanting standards with development. **The proposal is consistent with this Policy.**

Policy 5.2

Provide scenic viewpoints and public access along the east ridge.

Response: Under the proposed map and code amendment, the east ridge area will be zoned R-5. Proposed R-5 standards for the BRCP area in proposed OCMC 17.10.070 include view protection standards along the ridgeline requiring view corridors. (See proposed OCMC 17.10.070.C.) An additional viewpoint is incorporated in the South Central Open Space extent; those parklands will be required to be dedicated at the time of residential development. (See proposed OCMC 16.12.042.) The east ridge trail corridor as identified in the Trails Master Plan will be identified and reserved through the subdivision review process, ensuring public access. (See OCMC 16.08.025.E.) **The proposal is consistent with this Policy.**

Policy 5.3

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

Response: Under the proposed map and code amendment, trails and public areas identified in the BRCP will be acquired by the City and protected from

development, which will protect views of Mt Hood from those facilities. Parkland within the South Central Open Space Network will be required to be dedicated at the time of residential development. (See proposed OCMC 16.12.042 and 17.62.058.) Trail corridors as identified in the Trails Master Plan will be identified and reserved through the development review process, including a 30-foot corridor through the powerline easement area identified in the BRCP as providing Mt Hood views. (See OCMC 16.08.025.E and proposed 17.37.060.F.) **The proposal is consistent with this Policy.**

Policy 5.4

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

Response: Under the proposed map and code amendment, open spaces identified in the BRCP will be protected from development and/or acquired by the City. Parkland within the South Central Open Space Network will be required to be dedicated at the time of residential development. (See proposed OCMC 16.12.042 and 17.62.058.) Trail corridors as identified in the Trails Master Plan will be identified and reserved through the development review process. (See OCMC 16.08.025.E.) Additional natural, undeveloped open space will be protected through application of the Natural Resources Overlay District in OCMC 17.49 and the Geologic Hazards Overlay Zone in OCMC 17.44 which restrict development in sensitive areas. **The proposal is consistent with this Policy.**

Policy 5.5

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

Response: Through the proposed code amendments, the steeply sloped areas along the east ridge will be protected through the application of the Geologic Hazards Overlay Zone in OCMC 17.44, which limits development on slopes 25 to 35% and prohibits all development on slopes over 35%. The east ridge will be further protected through application of the proposed Low Impact Conservation Area standards, which limit development density and development area and require mitigation. (See proposed OCMC 17.10.070.C.) **The proposal is consistent with this Policy.**

Goal 6 Multi-modal Transportation

Provide multi-modal transportation links (such as bus routes, trails, bike- ways, etc.)

that are connected within the site as well as to the surrounding areas.

Response: The proposed map and code amendments will support the provision of multi-modal transportation links within the site and to surrounding areas at the time of development. The transportation network of major arterials and collectors within the BRCP area have been adopted in the City's Transportation System Plan (2013); the projects must be complete or completed by the developer at the time of development. Improvement of these major rights-of-way will meet green street standards with multimodal elements. The trails network, as part of the Trails Master Plan, will be required to be built prior to or as a condition of development as well. Bus routes will be planned with Tri-Met as part of ongoing coordination efforts. **The proposal is consistent with this Goal.**

Policy 6.1

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

Response: Bus service will be planned with Tri-Met as part of ongoing coordination efforts outside of the proposed map and code amendments. **The proposal is consistent with this Policy.**

Policy 6.2

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

Response: The proposed map and code amendments support development of a mix of uses both across the district and within individual subdistricts that include employment, commercial and residential uses that can support future transit service. Minimum densities will be applied to residential development in the EMU and WMU subdistricts, at 7.0 units per acre and 17.4 units per acre respectively; any ground-floor residential uses in the MS subdistrict will also be required to meet a minimum density of 17.4 units per acre. Minimum FARs are also proposed for the MEV and MS subdistricts to guide intensive design supportive of future transit options. **The proposal is consistent with this Policy.**

Policy 6.3

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

Response: The proposed map and code amendments will require local street connectivity and off-street pedestrian routes to be developed with all new development. OCMC 16.12, which applies to new subdivisions and site plan reviews, requires a maximum block length of 530 feet to maintain connectivity except in the CI zone, discourages cul-de-sacs and dead ends, and requires public off-street pedestrian and bicycle accessways when through streets cannot be provided; together these provisions provide for a highly connected pedestrian system. (See OCMC 16.12.025, 16.12.030, 16.12.032.) Additionally, development under the proposed map and code amendments will be required to reserve trail corridors supporting completion of the off-street trails network established in the Trails Master Plan. **The proposal is consistent with this Policy.**

Policy 6.4

The "walkability" of the Concept Plan area will be one of its distinctive qualities. The density of walking routes and connectivity should mirror the urban form – the higher the density and larger the building form, the "finer" the network of pedestrian connections.

Response: The proposed map and code amendments will require pedestrian connectivity that mirrors the urban form. A maximum block length of 530 feet applies in all proposed zones except the CI-zoned NEC subdistrict, where greater spacing between streets is appropriate for industrial campus development. (See OCMC 16.12.030.) Within the "finer" grained residential and mixed-use subdistricts, code standards to be applied through these proposed map amendments will also require provision of a well-marked, continuous and protected on-site pedestrian circulation system within development sites per OCMC 17.62.050.C. **The proposal is consistent with this Policy.**

Policy 6.5

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

Response: Development under the proposed map and code amendments will be required to reserve trail corridors supporting completion of the off-street trails network established in the Trails Master Plan. **The proposal is consistent with this Policy.**

Policy 6.6

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

Circulation Framework.

Response: Streets, including Beavercreek Road, will be built prior to or as a condition of development, and will be required to be constructed to the City's adopted green street standards that include bike lanes except on Glen Oak Road which will serve as the Main Street. Off-street multiuse paths may be developed along Center Parkway (Holly) within an expanded right-of-way as part of the South Central Open Space Network. **The proposal is consistent with this Policy.**

Goal 7 Safety Along Beavercreek Road

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

Response: The proposed map and code amendments will not affect the design of Beavercreek Road, which will be built as planned in the BRCP and the adopted TSP. **The proposal is consistent with this Goal.**

Policy 7.1

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

Response: The proposed map and code amendments will not affect the design of Beavercreek Road, which will be built as planned in the BRCP and the adopted TSP as a green street boulevard. **The proposal is consistent with this Policy.**

Policy 7.2

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

Response: Future coordination with the County and the State about the posted speeds is outside of the scope of the proposed map and code amendments. **The proposal is consistent with this Policy.**

Policy 7.3

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

Response: The proposed map and code amendments will support limited access along the east side of Beavercreek Road. At the time of development, driveway spacing and access limitations will be applied to individual lots including standards that require a minimum of 175 feet per driveway along an arterial like Beavercreek Road, that limit access to one driveway per frontage, and that require access to be

provided from the lowest classification street. (See OCMC 16.12.035.) Requirements to develop an alley network in all subdistricts except the NEC will also limit access needs for individual lots. (See OCMC 16.12.025.) The City may adopt additional access limitations specific to Beavercreek Road. **The proposal is consistent with this Policy.**

Goal 8 Oregon City High School and Clackamas Community College

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

Response: Both OCHS and CCC were identified as stakeholders in this implementation project, and engaged through initial interviews and invitations to all public meetings throughout the project; OCHS hosted two public open houses on January 29 and April 9, 2019. Future implementation efforts will continue to engage OCHS and CCC. **The proposal is consistent with this Goal.**

Policy 8.1

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

Response: Both OCHS and CCC are members of the Beavercreek Employment Area Blue Ribbon Committee that includes city, county and regional representatives to discuss economic development strategies for the area incorporating the two institutions and portions of the BRCP area. (See https://www.orcity.org/sites/default/files/fileattachments/economic_development/page/11230/beavercreek_employment_area_-_marketing _and_recruitment_strategy.pdf) Future implementation efforts will continue to engage OCHS and CCC. **The proposal is consistent with this Policy.**

Policy 8.2

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

Response: The City will develop internal policies to ensure that OCHS and CCC are engaged at the time of pre-application conferences required before all subdivision,

master plan, and site plan review applications are submitted, to inform OCHS and CCC and provide opportunity for early comment. **The proposal is consistent with this Policy.**

Policy 8.3

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

Response: Alternative Mobility Targets were adopted for Highway 213 in 2018, including the Highway 213 and Beavercreek Road intersection, which will support freight mobility along Highway 213 to support employment opportunities in the BRCP area. OCHS and CC are encouraged to continue to implement TDM strategies. **The proposal is consistent with this Policy.**

Goal 9 Unique Sense of Place

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

Response: The essence of the BRCP area is the mix of uses both across the district as a whole and within individual subdistricts, which will be fully implemented by the proposed map and code amendments to create the five subdistricts including mixed-use zoning for the MEV and MS subdistricts. Design elements implemented through the proposed code amendments include maximum square footages for individual business establishments, minimum FARs, and maximum setbacks in the MS and MEV subdistricts; pedestrian connectivity within sites, subdistricts, the district and beyond; and building design standards, as discussed elsewhere in this narrative. Sustainability will be integrated into the fabric of the district as discussed in response to Goal 2 and related policies, including sustainable infrastructure, mix of uses, natural resources protection, and sustainable building and site design elements for industrial development and multifamily development in the R-2 zoned WMU zone. **The proposal is consistent with this Goal.**

Policy 9.1

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

Response: Under the proposed map and code amendments, new development will be reviewed through site plan design review, subdivision, and/or master plans. Development standards can be modified through minor and major variances if they are consistent with the comprehensive plan including the BRCP vision. (See OCMC 17.60.) The configuration of land uses will be established by the proposed map amendments and can be modified through future map amendments consistent with OCMC 17.68, though the range of uses allowed in each subdistrict through the proposed code amendments is intended to be flexible and potentially reduce the need for map amendments, such as the R-2 standards for small-scale commercial and mixed-use in the primarily residential EMU subdistrict. **The proposal is consistent with this Policy.**

Policy 9.2

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

Response: Design elements implemented through the proposed code amendments that support human-scale design include maximum square footages for individual business establishments, minimum FARs, and maximum setbacks in the MS and MEV subdistricts; pedestrian connectivity within sites, subdistricts, the district and beyond; and requirements for parking to be located at the rear of sites served by alley access. The proposed code amendments also apply the building design standards in OCMC 17.62.055 for all development, except industrial development, requiring quality building materials, siting of structures along the front property line, buildings oriented towards the street, entryways, façade modulation and articulation, and fenestration. The proposed code amendments will support attractive streetscapes through both design standards for private development along the street, such as maximum setbacks and provisions for pedestrian plazas and outdoor café seating within the setbacks, and the green street standards for the public right-of-way development. **The proposal is consistent with this Policy.**

Policy 9.3

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

Response: Generally, the proposed map and code amendments support graduated density across the district from west to east. Density transitions from highest in the west along Beavercreek Road, with the R-2 zoning for the WMU subdistrict that

allows development up to 21.8 units an acre, transitioning to medium density at a maximum density of 8.7 units per acre for single-family detached homes in the east with the R-5 zoning for the EMU subdistrict. The density transitions to very low density on the eastern edge of the site within the Low Impact Conservation Area, limited to two units per acre. (See proposed OCMC 17.10.070.C.) **The proposal is consistent with this Policy.**

Policy 9.4

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

Response: The proposed code amendments support compatibility with existing residential areas to the north and south of the BRCP area by requiring buffers and setbacks. Under the proposed map and code amendments, the northern edge of the district is zoned CI and industrial development within the zone that is adjacent to residential is required to provide a 25-foot-wide buffer including landscaping, trees, berms, and fencing. (See proposed OCMC 17.37.060.D.) At the southern edge of the district, the proposed code requires a perimeter transition requiring larger 6,000 square foot lots restricted to single-family detached uses, a 40-foot setback from the edge of the district, and a combination of landscaping, trees and fencing. (See proposed OCMC 17.10.070.D.) **The proposal is consistent with this Policy.**

Goal 10 Ecological Health

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

Response: The City has adopted the Stormwater and Grading Design Standards (2015) that emphasize low-impact development (LID) practices, which will be applied to new development within the BRCP area under the proposed map and code amendments. The Natural Resources Overlay District (NROD) in OCMC 17.49 will also be applied to stream corridors and riparian habitat through the proposed map and code amendments to protect water resources on site. **The proposal is consistent with this Goal.**

Policy 10.1

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

Response: Since the BRCP was initially written in 2008, the City has adopted the Stormwater and Grading Design Standards (2015), emphasize low-impact development (LID) practices, source controls for higher pollutant generating activities, erosion prevention and sediment controls, and operation and maintenance practices designed to properly manage stormwater runoff and protect our water resources. Some of the permitted LID techniques, some of which mimic natural hydrologic processes, include porous pavement, green roofs, filtration planters, infiltration planters, swales, and rain gardens. (See https://www.orcity.org/publicworks/stormwater-and-grading-design-standards) **The proposal is consistent with this Policy.**

Policy 10.2

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

Response: Areas identified within the Environmentally Sensitive Resource Area will be protected by a variety of strategies through the proposed map and code amendments. Most importantly, the Natural Resources Overlay District (NROD) in OCMC 17.49 will be applied to stream corridors and riparian habitat, including Thimble Creek on the eastern edge of the site. The Geologic Hazards Overlay District will be applied to steep slopes per OCMC 17.44, limiting development on slopes 25 to 35% to two units per acre and prohibiting development on slopes above 35%. The key ESRAs identified on page 1 of the BRCP are generally protected through the combination of these two overlays, however, there are minor discrepancies in the extent of individual nodes. In 2008 when the BRCP was being drafted, there was discussion that upland habitat areas could be protected through the NROD as well, however, subsequent development of the NROD standards elected to exclude upland habitat areas because there is no mechanism for such in Metro's Title 13. The exclusion of the upland habitat areas slightly reduces the extent of some of the identified ESRA nodes, but the NROD and geologic hazard overlays together protect the core of each resource area. The NROD includes density transfer provisions in OCMC 17.49.240. **The proposal is consistent with this Policy.**

MEMO

Date: June 7, 2019

To: Laura Terway & Christina Robertson-Gardiner, City of Oregon City

From: Elizabeth Decker, JET Planning

Subject: Beavercreek Road Concept Plan Implementing Zoning Code

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Overview: Oregon City aims to further implementation of the Beavercreek Road Concept Plan (BRCP) through comprehensive plan designation and zone mapping, and development code amendments, to complement the public vision, infrastructure, and economic development measures that have already been completed or planned east of Beavercreek Road generally between Thayer Road and Old Acres Lane. Development of the 453-acre BRCP area is intended to create around 1,000 housing units and up to 5,000 family-wage jobs as part of a complete and sustainable community.

The overall strategy for implementing code is to use existing zones, rather than create a Beavercreek Road area-specific overlay. The practice has been used to implement the City's other two concept plans. Several of the implementing zones proposed here were developed for concept plan areas, including the Neighborhood Commercial and the Residential Medium Density R-5 zone. Proposed zoning districts for each concept plan subdistrict include:

Concept Plan Subdistrict	*Zone*
North Employment Campus	Campus Institutional (CI)
Mixed Employment Village	Mixed-Use Corridor (MUC-2)
Main Street	Neighborhood Commercial (NC)
West Mixed-Use Neighborhood	High-Density Residential (R-2)
East Mixed-Use Neighborhood	Medium-Density Residential (R-5)
Environmentally Sensitive Restoration Area	Natural Resources Overlay District (NROD) Geological Hazard Overlay District (GHOD)

This memo provides a short introduction to the draft code amendments to implement the Concept Plan provisions. All of the base zone standards apply, in addition to the proposed code standards specific to each subdistrict described

below. Note that the proposed amendments incorporate the most recent code language from the Equitable Housing and other development code amendments currently under review by the City Commission.

OCMC 16.08, Land Divisions – Process and Standards

- Proposed code amendments include additional public park requirements or fee-in-lieu option to ensure land for the South Central Open Space Network is reserved and dedicated to the city at the time of residential subdivisions. This is expected to largely apply to development in the R-5 district.

OCMC 17.10, R-5 Medium Density Residential District (East Mixed-Use Neighborhood subdistrict)

- No changes are proposed to the mix of uses or dimensional standards in the zone beyond those proposed in the Equitable Housing code amendments.
- Standards for the Low-Impact Conservation Area implement the plan goals for the area upslope of Thimble Creek, on the eastern edge of the Beavercreek Road district. The proposed standards limit development to two units per acre, require open space preservation and restoration, and require view corridors to preserve views.
- A 40-foot perimeter buffer is proposed along the southern edge of the district including landscaping, setbacks and fencing, to manage the transition to lower-density residential development outside City limits along Old Acres Lane to the south.

OCMC 17.12, R-2 High Density Residential District (West Mixed-Use Neighborhood subdistrict)

- Allows additional uses consistent with the Concept Plan include live/work dwellings and limited commercial/mixed-use spaces.
- Provides up to a 20% density bonus for development incorporating sustainability features.
- Additional changes in 17.62 add requirement for additional public park dedication or fee-in-lieu, consistent with requirement for new subdivisions.

OCMC 17.24, MC Neighborhood Commercial District (Main Street subdistrict)

- Limits uses to a 10,000 SF building footprint to encourage pedestrian-scale, main street businesses. Limits residential uses to 50% of the project floor area, and prohibits ground-floor residential uses within 150 feet of Glen Oak Road (which will be the "main street.") Adds a new use category for artisan and specialty goods production to allow limited manufacturing type uses.

- Increase dimensional standards to match scale proposed in the Concept Plan, including a five-story height limit and 0.5 FAR minimum.
- Improves building presence and interaction along the street by requiring parking to be located behind building facades.

OCMC 17.29, MUC Mixed-Use Corridor District (Mixed Employment Village subdistrict)

- Light industrial uses are permitted to implement the employment aspect of the vision for this subdistrict. Retail and service uses, including food service, are limited to 20% of a site to maintain the focus on employment uses generating family-wage jobs. Residential uses are limited to upper stories only.
- One parcel with an in-progress residential development is permitted outright, to avoid creating a nonconforming use.
- An additional dimensional standard implements a minimum 0.35 FAR for new development to ensure efficient use of land.

OCMC 17.31, CI Campus Institutional District (North Employment Campus subdistrict)

- Retail and professional service uses are limited consistent with Metro Title 4 requirements to preserve land for industrial uses. Offices are permitted consistent with uses outlined in the Concept Plan, whereas distribution and warehouse uses are prohibited because they create relatively few jobs per acre inconsistent with the plan goals.
- Several parcels with existing single-family residential development are permitted outright, to avoid creating nonconforming uses. (These parcels are outside of Title 4 lands, so there is no conflict with employment requirements.)
- Additional standards require landscaping, berms and fences within the required 25-foot transition area between industrial and residential uses.
- Outdoor storage is limited to a maximum of 25% of the developable area to avoid inefficient use of land that does not support employment plan goals.
- A minimum 30-foot open space and trail corridor is required along the powerline corridor. Additional parks, trails, urban agriculture and community garden uses are permitted consistent with the plan goals for uses within the powerline easement.
- Sustainable development features are required for all development to implement the plan's sustainability goals.

OCMC 17.44, US – Geologic Hazards and OCMC 17.49 – Natural Resources Overlay District

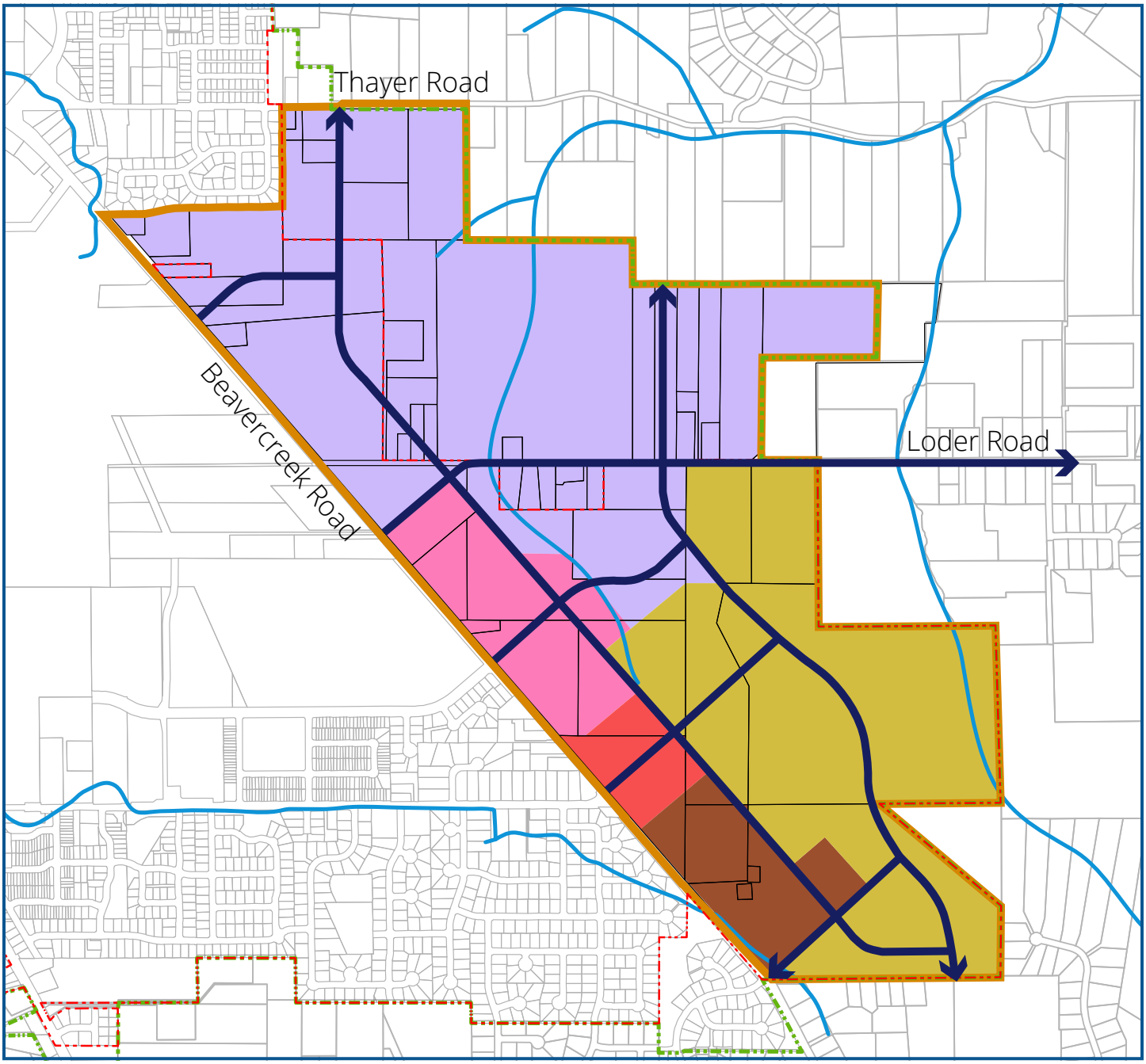
- No changes are proposed to the geologic hazard or NROD standards for this district; resource areas within the concept plan area will be protected consistent with existing standards.

OCMC 17.62, Site Plan and Design Review

- Proposed code amendments include additional public park requirements or fee-in-lieu option to ensure land for the South Central Open Space Network is reserved and dedicated to the city at the time of residential subdivisions. This is intended to apply to any residential development in the R-2 or the mixed-use districts that does not get developed through subdivision.

Beavercreek Road Concept Plan

Proposed Zoning and Comprehensive Plan Designations



Legend

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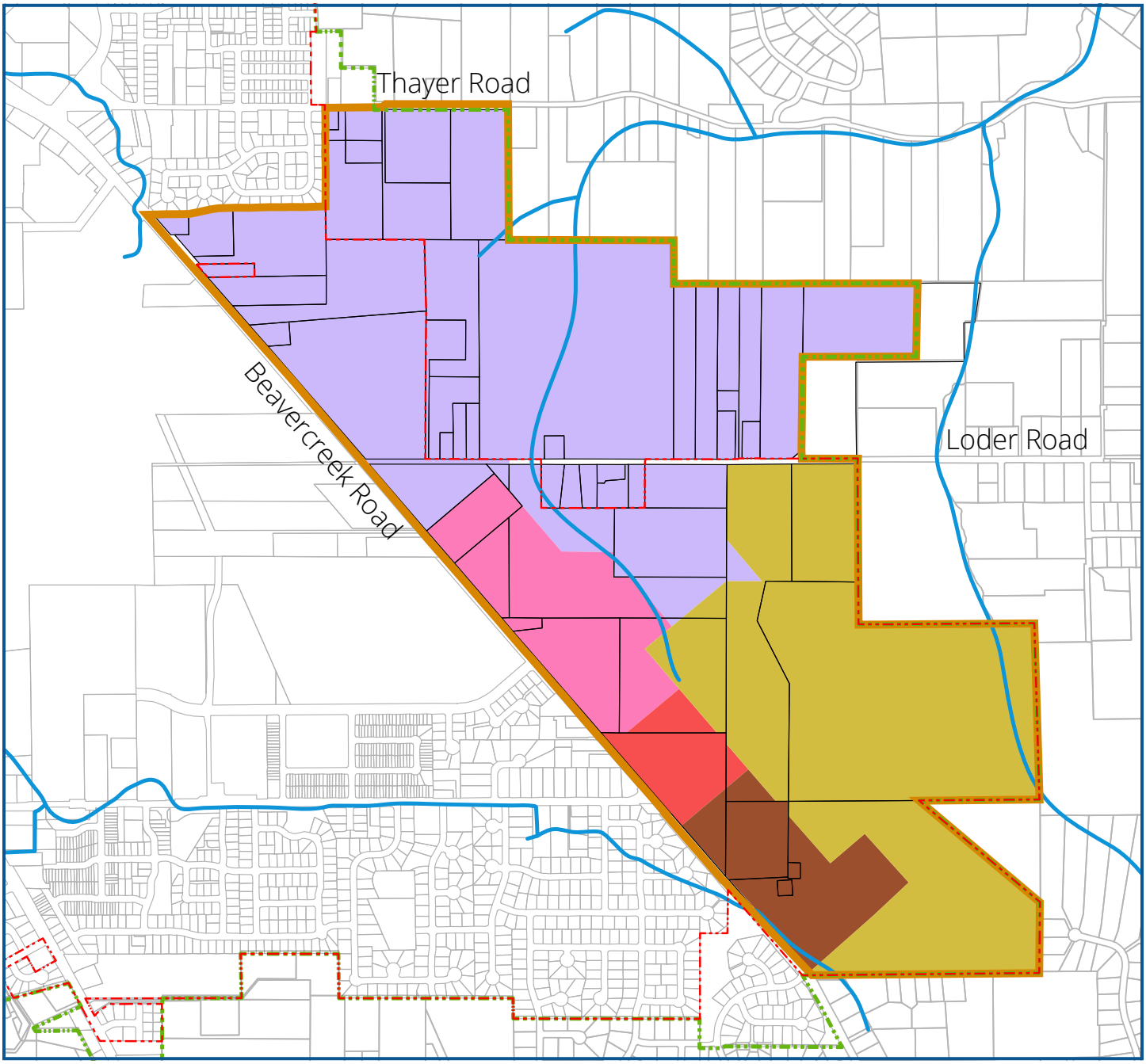
BRCP Subdistrict	Comp Plan Designation	Zoning Designation		
West Mixed Use Neighborhood	High Density Residential	High Density Residential	R-2	BRCP Boundary
East Mixed Use Neighborhood	Medium Density Residential	Medium Density Residential	R-5	Urban Growth Boundary
Main Street	Mixed Use Corridor	Neighborhood Commercial	NC	City Limits
Mixed Employment Village	Mixed Use Corridor	Mixed Use Corridor	MUC-2	Future Road Connections
North Employment Campus	Industrial	Campus Industrial	CI	Streams

Beavercreek Road Concept Plan

Proposed Zoning and Comprehensive Plan Designations



Legend

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0′ 1,200′ 2,400′

BRCP Subdistrict	Comp Plan Designation	Zoning Designation	
West Mixed Use Neighborhood	High Density Residential	High Density Residential	R-2
East Mixed Use Neighborhood	Medium Density Residential	Medium Density Residential	R-5
Main Street	Mixed Use Corridor	Neighborhood Commercial	NC
Mixed Employment Village	Mixed Use Corridor	Mixed Use Corridor	MUC-2
North Employment Campus	Industrial	Campus Industrial	CI

- BRCP Boundary
- Urban Growth Boundary
- City Limits
- Future Road Connections
- Streams

OREGON CITY

Community Development – Planning

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Oregon City Municipal Code

Beavercreek Road Concept Plan Implementing Code

June 7, 2019 Draft

Chapter 16.08, Land Divisions - Process and Standards

16.08.025 - Preliminary plat—Required information.

A. Site Plan. A detailed site development plan drawn to scale by a licensed professional based on an existing conditions plan drawn by a licensed surveyor. The site plan shall include the location and dimensions of lots, streets, existing and proposed street names, pedestrian ways, transit stops, common areas, parks, trails and open space, building envelopes and setbacks, all existing and proposed utilities and improvements including sanitary sewer, stormwater and water facilities, total impervious surface created (including streets, sidewalks, etc.), all areas designated as being within an overlay district and an indication of existing and proposed land uses for the site. (…)

16.08.040 – Park and open space requirements.

Where a proposed park, open space, playground, public facility, or other public use shown in a plan adopted by the city is located in whole or in part in a land division, the City may require the dedication or reservation of this area on the final plat for the partition or subdivision.

16.08.042 - Additional Public Park Requirements in Beavercreek Road Concept Plan area.

A. Each development within the Beavercreek Road Concept Plan area that includes residential development must provide for land for neighborhood parks which meets the requirements of this section.

B. The minimum amount of land in acres dedicated for a park shall be calculated according to the following calculation: (2.6 persons per dwelling units) x (total number of dwelling units proposed in the development) x (8.0 acres) / (1,000 persons).

C. The entire acreage must be dedicated prior to approval or as part of the final plat or site plan development approval for the first phase of development.

D. If a larger area for a neighborhood park is proposed than is required based on the per-unit calculation described in subsection (A), the City must reimburse the applicant for the value of the amount of land that exceeds the required dedication based on the fee-in-lieu formula expressed in subsection (E)(1).

E. The City may accept a fee-in-lieu as an alternative to this dedication at its discretion or may require a fee-in-lieu if a suitable site meeting the criteria described in subsection (F) of these provisions is not available with the development site. The calculation of the fee-in-lieu or other monetary contribution must meet the following standards.

1. The amount of the fee in lieu or other monetary contribution is set in dollars per acre of required dedication and is equivalent to the appraised cost of land within the development, as provided by a certified appraiser chosen by the City and with the assumption that zoning and other land use entitlement are in place.
2. The fee-in-lieu or other monetary contribution must be paid prior to approval of the final plat or development approval for each phase of development.

F. Neighborhood park sites proposed for dedication must meet the following criteria.

1. Located within the South Central Open Space Network as shown in Figure 16.08.042-1.

   Figure 16.08.042-1 (To be provided, will show the South Central Open Space Network as mapped on the Development Constraints Map.)
2. Met either of the following standards:
   a. Pearl standard. (*To be developed with Parks input.)*
   b. String standard. (*To be developed with Parks input.)*

Chapter 17.10, R-5 Medium Density Residential District (East Mixed-Use Neighborhood subdistrict)

17.10.070 – Additional Standards for Beavercreek Road Concept Plan Area

A. Applicability. This section applies to all development in the R-5 district within the Beavercreek Road Concept Plan area.

B. Relationship of Standards. These standards apply in addition to and supersede the standards of the R-5 zone within the Beavercreek Road Concept Plan area. In the event of a conflict, the standards of this section control.

C. Low-Impact Conservation Area. Between the west edge of the designated Natural Resources Overlay District extent required along Thimble Creek extending east to the 490-foot elevation (MSL), additional standards apply to create a low-impact conservation area as depicted in Figure 17.10.070-1 and preserve views to adjacent natural areas.

Figure 17.10.070-1 Extent of Low-Impact Conservation Area (To be provided based on Concept Plan.)

1. The standards of this section apply in addition to the requirements of OCMC 17.44, US—Geologic Hazards, if applicable. In the event of a conflict, the more restrictive shall apply.
2. Development intensity shall be limited as follows:
   a. The maximum residential density shall be limited to two dwelling units per acre;

b. An individual lot or parcel shall have a disturbance area of no more than fifty percent or three thousand square feet of the surface area, whichever is smaller, graded or stripped of vegetation or covered with structures or impermeable surfaces; and

c. No cut into a slope for the placement of a housing unit shall exceed a maximum vertical height of fifteen feet for the individual lot or parcel.

3. Views shall be preserved through one of the following methods:

a. Individual lots shall have minimum 25-foot side yard setbacks on both sides to create view corridors a minimum of 50 feet wide between houses. Nothing shall be placed within the side yard setback that exceeds the 490-foot elevation with the exception of trees and vegetation that are existing or planted as part of mitigation required in subsection (4).

b. Alternatively, residential lots may be arranged so that a minimum 700-foot wide view corridor is created along the 490-foot elevation line extending in the direction of Thimble Creek. Nothing shall be placed in the view corridor that exceeds the 490-foot elevation with the exception of trees and vegetation that are existing or planted as part of mitigation required in subsection (4). Residential lots outside of this view corridor shall be subject to the side yard setbacks in the R-5 zone.

4. Open space restoration shall be required to mitigate development impacts. Restoration shall occur at a one-to-one ratio of restoration area to proposed disturbance area, and shall meet all of the following standards:

a. All trees, shrubs and ground cover shall be selected from the Oregon City Native Plant List.

b. All invasive species shall be removed to the extent practicable.

c. The restoration requirement shall be calculated based on the size of the disturbance area. Native trees and shrubs are required to be planted at a rate of one tree and five shrubs per every one hundred square feet of disturbance area, rounded to the nearest whole number of trees and shrubs. Bare ground must be planted or seeded with native grasses or herbs. Non-native sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

d. No initial plantings may be shorter than twelve inches in height.

e. Trees shall be planted at average intervals of seven feet on center. Shrubs may be planted in single-species groups of no more than four plants, with clusters planted on average between eight and ten feet on center.

f. Shrubs shall consist of at least three different species. If twenty trees or more are planted, no more than one-third of the trees may be of the same genus.

5. Alternative standards for the low-impact conservation area may be proposed as part of a Master Plan per OCMC 17.65, provided it is consistent with the goals of the adopted Beavercreek Road Concept Plan.

D. Southern Perimeter Transition. Along the southern boundary of the Beavercreek Road Concept Plan area between Beavercreek Road and the eastern-most point of Tax Lot 00316, located on Clackamas County Map #32E15A, additional standards apply to create a perimeter transition.

1. For all lots adjacent to the southern boundary and within 20 feet of the southern boundary, uses shall be limited to single-family detached residential and parks, trails and open space.
2. For all lots adjacent to the southern boundary and within 20 feet of the southern boundary, minimum lot size for residential uses shall be 6,000 square feet.
3. All structures shall be set back a minimum of 40 feet from the southern boundary for all lots adjacent to the southern boundary and within 20 feet of the southern boundary.
4. Within the 40-foot wide setback, a combination of landscaping and screening shall be provided to buffer the perimeter. The landscaping and screening shall meet one of the two standards:
    a. Utilize existing vegetation in compliance with OCMC 17.41 resulting in preservation or replanting of a minimum of 12 inches of tree diameter inches per lot with trees spaced an average of one tree for every 30 linear feet along the southern property line. These trees may be located on the residential lots or an abutting tract created for tree preservation consistent with OCMC 17.41.050.B or other similar landscaping or open space purpose.
    b. Provide a combination of landscaping and screening to include:
        (i) A minimum of 12 inches of tree diameter inches per lot, or a minimum of an average of one tree with minimum caliper of two inches DBH for every 30 linear feet along the southern property line, whichever is greater; and
        (ii) A minimum six-foot tall, decorative, sight-obscuring fence or wall running parallel to the southern boundary. The fence or wall shall be constructed of wood, stone, rock, or brick. Other durable materials may be substituted with Planning Director's approval. Chainlink fencing with slats shall be not allowed to satisfy this standard.
5. An alternative southern perimeter transition may be proposed as part of a Master Plan per OCMC 17.65, provided it is consistent with the goals of the adopted Beavercreek Road Concept Plan.

Chapter 17.12, R-2 High Density Residential District (West Mixed-Use Neighborhood subdistrict)

17.12.060 – Additional Standards for Beavercreek Road Concept Plan Area

A. Applicability. This section applies to all development in the R-2 district within the Beavercreek Road Concept Plan area.

B. Relationship of Standards. These standards apply in addition to and supersede the standards of the R-2 zone within the Beavercreek Road Concept Plan area. In the event of a conflict, the standards of this section control.

C. Uses.
    1. Live/work dwellings are a permitted use.
    2. As part of a master plan when authorized by and in accordance with the standards contained in OCMC 17.65, up to five thousand square feet of commercial space as a stand-alone building or part of a larger mixed-use building, to be used for:
        a. Restaurants, eating and drinking establishments without a drive through;

b. Services, including personal, professional, educational and financial services; laundry and dry-cleaning; or

c. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, and similar.

D. Sustainability density bonus. The maximum net density allowed in 17.12.050.B may be increased by up to twenty percent, or a maximum net density of 26.2 du/acre, for projects incorporating the following sustainability features. For every feature provided below, net density may be increased by up to five percent, with a maximum twenty percent bonus available.

1. A vegetated ecoroof for a minimum of thirty percent of the total roof surface.
2. For a minimum of seventy-five percent of the total roof surface, a white roof with a Solar Reflectance Index (SRI) of 78 or higher if the roof has a 3/12 roof pitch or less, or SRI of 29 or higher if the roof has a roof pitch greater than 3/12.
3. A system that collects rainwater for reuse on-site (e.g., site irrigation) designed to capture an amount of rainwater equivalent to the amount of stormwater anticipated to be generated by 50% of the total roof surface.
4. An integrated solar panel system for a minimum of thirty percent of the total roof or building surface.
5. Orientation of the long axis of the building within thirty degrees of the true east-west axis, with unobstructed solar access to the south wall and roof.
6. Windows located to take advantage of passive solar collection and include architectural shading devices (such as window overhangs) that reduce summer heat gain while encouraging passive solar heating in the winter.
7. Fifty percent or more of landscaped area covered by native plant species selected from the Oregon City Native Plant List.
8. Provision of pedestal or wall-mounted Level 2, two hundred forty-volt electric vehicle chargers, or similar alternative fueling stations as approved by the planning director, at a minimum ratio of one station per fifty vehicle parking spaces up to a maximum of five such stations.
9. Building energy efficiency measures that will reduce energy consumption by thirty percent based on HERS rating for building, including efficient lighting and appliances, efficient hot water systems, solar orientation or solar water heating, solar photovoltaic panels, geothermal, and offsetting energy consumption with alternative energy.
10. Use of Forest Stewardship Council certified wood Reclaimed Wood for a minimum of thirty percent of wood products used in the site development.
11. Permeable paving, which may include porous concrete, permeable pavers, or other pervious materials as approved by the city engineer, for a minimum of thirty percent of all paved surfaces.
12. Buildings LEED-certified by the U.S. Green Building Council at any level shall be allowed to increase net density by the full twenty percent.
13. Or an alternative the meets or exceeds the intent of the above code as approved by the Community Development Director through a Type II review.

Chapter 17.24, NC Neighborhood Commercial District (Main Street subdistrict)

17.24.050 – Additional Standards for Beavercreek Road Concept Plan Area

A. Applicability. This section applies to all development in the NC district within the Beavercreek Road Concept Plan area.

B. Relationship of Standards. These standards apply in addition to and supersede the standards of the NC zone within the Beavercreek Road Concept Plan area. In the event of a conflict, the standards of this section control.

C. Uses.

1. All uses permitted per OCMC 17.24.020.A and B, including grocery stores, are limited to a maximum footprint for a stand alone building with a single store or multiple buildings with the same business not to exceed ten thousand square feet, unless otherwise restricted in this chapter.
2. Residential uses are permitted subject to limitations in OCMC 17.24.050.E, and are not subject to OCMC 17.29.020.M, OCMC 17.29.020.N, and OCMC 17.24.020.D.
3. Artisan and specialty goods production is permitted, constituting small-scale businesses that manufacture artisan goods or specialty foods and makes them available for purchase and/or consumption onsite, with an emphasis on direct sales rather than the wholesale market. Examples include: candy, fruit and vegetable preserving and specialty foods, bakeries and tortilla manufacturing; artisan leather, glass, cutlery, hand tools, wood, paper, ceramic, textile and yarn products; microbreweries, microdistilleries, and wineries. All uses shall provide either:
   a. A public viewing area that includes windows or glass doors covering at least twenty-five percent of the front of the building face abutting the street or indoor wall, allowing direct views of manufacturing; or
   b. A customer service space that includes a showroom, tasting room, restaurant, or retail space.
4. Drive-throughs are prohibited.
5. Gas stations are prohibited.

D. Dimensional standards.

1. Maximum building height shall be sixty feet or five stories, whichever is less.
2. Minimum building height shall be twenty-five feet or two stories, whichever is less, except for accessory structures or buildings under one thousand square feet.
3. Maximum corner side yard setback abutting a street shall be five feet.
4. Minimum floor area ratio (FAR) shall be 0.5.
   a. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FAR.

b. An individual phase of a project shall be permitted to develop below the required minimum FAR provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required FAR for the project will be achieved at project build out.

5. Minimum required landscaping: Ten percent. Required landscaping areas may include:

a. Landscaping within a parking lot.

b. Planter boxes.

c. Ecoroofs.

d. Paved courtyard or plaza with at least twenty-five percent of the area used for landscaping, planter boxes, and/or water features including shade trees planted at the ratio of one tree for every 500 square feet of urban plaza area.

E. Residential Uses. Residential uses, excluding live/work dwellings, are subject to the following additional standards:

1. All residential uses shall be proposed along with any nonresidential use allowed in the NC district in a single development application.

2. All ground-floor residential uses, with the exception of entrances for upper-story residential uses, shall be set back a minimum of 150 feet from the property line along Glen Oak Road.

3. Ground-floor residential building square footage shall not exceed fifty percent of the ground-floor nonresidential building square footage onsite.

4. Ground-floor residential uses shall achieve a minimum net density of 17.4 units per acre, with no maximum net density.

5. Any new lots proposed for exclusive residential use shall meet the minimum lot size and setbacks for the R-2 zone for the proposed residential use type.

6. Upper-story residential uses are permitted with no limitations.

F. Site design standards.

1. In lieu of complying with OCMC 17.62.050.B.1, parking areas shall be located behind the building façade that is closest to the street or below buildings and shall not be located on the sides of buildings or between the street and the building façade that is closest to the street.

Chapter 17.29, MUC Mixed-Use Corridor District (Mixed Employment Village subdistrict)

17.29.080 – Additional Standards for Beavercreek Road Concept Plan Area

A. Applicability. This section applies to all development in the MUC-2 district within the Beavercreek Road Concept Plan area.

B. Relationship of Standards. These standards apply in addition to and supersede the standards of the MUC-2 zone within the Beavercreek Road Concept Plan area. In the event of a conflict, the standards of this section control.

C. Uses.

1. Light industrial uses limited to the design, light manufacturing, processing, assembly, packaging, fabrication and treatment of products made from previously prepared or semi-finished materials are permitted.
2. The following permitted uses, alone or in combination, shall not exceed twenty percent of the total gross floor area of all of the other permitted and conditional uses within the development site. The total gross floor area of two or more buildings may be used, even if the buildings are not all on the same parcel or owned by the same property owner, as long as they are part of the same development site, as determined by the community development director.
   a. Restaurants, eating and drinking establishments;
   b. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;
   c. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, marijuana, and similar, provided the maximum footprint for a stand-alone building with a single store does not exceed twenty thousand square feet; and
   d. Grocery stores provided the maximum footprint for a stand-alone building does not exceed forty thousand square feet.
3. Drive-throughs are prohibited.
4. Gas stations are prohibited.
5. Bed and breakfast and other lodging facilities for up to ten guests per night are a conditional use.
6. Tax Lot 00800, located on Clackamas County Map #32E10C has a special provision to allow the multifamily residential use permitted as of (Ordinance effective date) as a permitted use. This property may only maintain and expand the current use.

D. Dimensional standards.
1. Minimum floor area ratio (FAR) shall be 0.35.
2. Maximum allowed setback for corner side yard abutting street shall be five feet.

E. Residential uses. All residential uses, except live/work units, are limited to upper stories only, and may only be proposed as part of a single development application incorporating nonresidential uses allowed in the MUC-2 district on the ground floor.

Chapter 17.37, CI Campus Institutional District (North Employment Campus subdistrict)

17.37.060 – Additional Standards for Beavercreek Road Concept Plan Area

A. Applicability. This section applies to all development in the CI district within the Beavercreek Road Concept Plan area.

B. Relationship of Standards. These standards apply in addition to and supersede the standards of the CI zone within the Beavercreek Road Concept Plan area. In the event of a conflict, the standards of this section control.

C. Uses.

1. The following permitted use supersedes the use allowed in OCMC 17.37.020.L. Retail sales and services, including but not limited to eating establishments for employees (i.e. a cafe or sandwich shop) or retail sales of marijuana pursuant to OCMC 17.54.110, located in a single building or in multiple buildings that are part of the same development shall be limited to a maximum of five thousand square feet in a single outlet or twenty thousand square feet in multiple outlets that are part of the same development project.
2. The following permitted use supersedes the use allowed in OCMC 17.37.020.M. Retail and professional services including but not limited to financial, insurance, real estate and legal offices limited to a maximum of five thousand square feet in a single outlet or twenty thousand square feet in multiple outlets that are part of the same development project. Financial institutions shall primarily serve the needs of businesses and employees within the development, and drive-throughs are prohibited.
3. Offices as an accessory to a permitted use are permitted.
4. Parks, trails, urban agriculture and community garden uses are permitted.
5. Distribution and warehousing are prohibited.
6. Tax Lots 00300, 00301, 00302, 00303, 00400 and 00401, located on Clackamas County Map #32E10C have a special provision to allow single-family detached residential use as a permitted use. This property may only maintain and expand the current use.

D. Buffer zone treatment required in OCMC 17.37.040.D shall include:

1. Landscaping shall be installed to provide screening of views of parking, loading and vehicle maneuvering areas, refuse/recycling collection areas, outdoor storage, and building façades. Buffer zone treatment may substitute for perimeter parking lot landscaping required per OCMC 17.52.060.C. Landscaping shall include:
   a Trees a minimum of two caliper inches dbh planted on average 30 feet on center. Existing mature vegetation may be used to meet this standard if it achieves a similar level of screening as determined by the Planning Director.
   b An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than 4 four feet apart on average.
   c Ground cover plants, which includes grasses covering all landscaping areas. Mulch (as a ground cover) shall only be allowed underneath plants at full growth and within two feet of the base of a tree and is not a substitute for ground cover.
2. Buffer shall incorporate a berm no less than three feet in height above the existing grade, constructed with a slope no steeper than 3:1 on all sides. The berm shall be planted with plant materials to prevent erosion.
3. A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chainlink fencing with slats shall be not allowed to satisfy this standard.

E. Outdoor storage permitted per OCMC 17.37.050.D shall be limited to a maximum of twenty-five percent of the net developable area.

F. Power line corridors. A distinct feature of this district is the power line corridors north of Loder Road that define open corridors.

1. Within the power line corridors, a minimum 30-foot wide open space and public access easement shall be granted to the City. The easement shall run parallel to the power line corridor and align with easements on abutting properties to create a continuous corridor.
2. The easement may be shown on the final plat or recorded as a separate easement document. In either case, the easement must be recorded prior to issuance of a certificate of occupancy.
3. Open spaces within the power line corridors, including the open space easements, may be counted as landscaping satisfying the requirements of OCMC 17.62.050.A.
4. Additional uses encouraged in the power line corridors include community gardens, urban agriculture, stormwater and water quality features, plant nurseries, and solar farms.

G. Sustainability features. Each development must incorporate six of the following sustainability features.

1. A vegetated ecoroof for stormwater management. An ecoroof covering twenty to forty percent of the total roof area shall count as one feature, and a roof covering more than forty percent of the total roof area shall count as two features.
2. A white roof with a Solar Reflectance Index (SRI) of 78 or higher if the roof has a 3/12 roof pitch or less, or SRI of 29 or higher if the roof has a roof pitch greater than 3/12 covering a minimum of seventy-five percent of the total roof area.
3. A system that collects rainwater for reuse on-site (e.g., site irrigation) designed to capture an amount of rainwater equivalent to the amount of stormwater anticipated to be generated by 50% of the total roof surface.
4. An integrated solar panel system mounted on the roof or anywhere on site. A solar system with surface area equivalent to a minimum of twenty to forty percent of the total roof area shall count as one feature, and a solar system with surface area equivalent to forty percent or more of the total roof area shall count as two features.
5. Use of native plant species selected from the Oregon City Native Plant List. Native plantings that cover twenty to thirty percent of the total landscaped area shall count as one feature, and plantings that cover thirty percent or more of the total landscaped area shall count as two features.
6. Provision of pedestal or wall-mounted Level 2, two hundred forty-volt electric vehicle chargers, or similar alternative fueling stations as approved by the planning director, at a minimum ratio of one station per fifty vehicle parking spaces up to a maximum of five such stations.
7. Permeable paving, which may include porous concrete, permeable pavers, or other pervious materials as approved by the city engineer. Permeable paving totaling twenty to forty percent of all paved surfaces shall count as one feature, and permeable paving of forty percent or more of all paved surfaces shall count as two features.
8. Buildings LEED-certified by the U.S. Green Building Council at any level shall be counted as three features.
9. Or an alternative the meets or exceeds the intent of the above code as approved by the Community Development Director through a Type II review.

Chapter 17.62 Site Plan and Design Review

17.62.058 - Additional Public Park Requirements in Beavercreek Road Concept Plan area.

A. Each development within the Beavercreek Road Concept Plan area that includes residential development must provide for land for neighborhood parks which meets the requirements of this section.

B. The amount of land in acres dedicated for a park shall equal at least the following calculation: (2.6 persons per dwelling units) x (total number of dwelling units proposed in the development) x (8.0 acres) / (1,000 persons).

C. The entire acreage must be dedicated prior to approval or as part of the site plan development approval for the first phase of development.

D. If a larger area for a neighborhood park is proposed than is required based on the per-unit calculation described in subsection (A), the City must reimburse the applicant for the value of the amount of land that exceeds the required dedication based on the fee-in-lieu formula expressed in subsection (E)(1).

E. The Planning Director may accept a fee-in-lieu as an alternative to this dedication at its discretion or may require a fee-in-lieu if a suitable site meeting the criteria described in subsection (F) of these provisions is not available with the development site. The calculation of the fee-in-lieu or other monetary contribution must meet the following standards.

1. The amount of the fee in lieu or other monetary contribution is set in dollars per acre of required dedication and is equivalent to the appraised cost of land within the development site, as provided by a certified appraiser chosen by the City and with the assumption that zoning and other land use entitlement are in place.
2. The fee-in-lieu or other monetary contribution must be paid prior to approval of the final development approval for each phase of development.

F. Neighborhood park sites proposed for dedication must meet the following criteria.

1. Located within the South Central Open Space Network as shown in Figure 16.08.042-1.

   Figure 17.62.058-1 (Same as proposed in OCMC 16.08.042.)
2. Met either of the following standards:
   a. Pearl standard. (*To be developed.)*
   b. String standard. *(To be developed.)*

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MEMORANDUM

To: Christina Robertson Gardiner, AICP
Planner
City of Oregon City
698 Warner Parrott Rd
Oregon City, Oregon 97045

From: Steve Faust, AICP
Project Manager

Date: June 7, 2019

Project Name: Beavercreek Road Concept Plan Implementation
Project No: 18510
RE: BRCP Land Use Map Changes

The City of Oregon City (City) has initiated a project to update the Oregon City Comprehensive Plan Map, Zoning Map and Municipal Code to allow planned housing and mixed-use development to occur in the 2008 Beavercreek Road Concept Plan (BRCP) area. Updates will apply zoning and map designations for properties within the BRCP area. The City, through a grant from the Oregon Department of Land Conservation and Development, has contracted with 3J Consulting to assist with this effort.

As part of the BRCP Implementation project, 3J Consulting has been tasked with applying and mapping zoning districts to implement the land use categories in the Concept Plan Map found on page 3 of the Beavercreek Road Concept Plan (Attachment A).

An initial Land Use Map approximating the lines on the 2008 Concept Plan Map was prepared on April 9, 2019 (Attachment B). This map was used as a starting point for making employment and dwelling unit projections for the BRCP area. Several modifications have been made to the June 7, 2019 Land Use Map to reflect taxlot and development realities while maintaining substantial compliance with the Concept Plan Map and the public comments heard to date. The following is a summary and justification of the changes made to the June 7, 2019 Land Use Map (Attachment C).

Legend

N

0' 1,200' 2,400'

BRCP Subdistrict	Comp Plan Designation	Zoning Designation		
West Mixed Use Neighborhood	High Density Residential	High Density Residential	R-2	BRCP Boundary
East Mixed Use Neighborhood	Medium Density Residential	Medium Density Residential	R-5	Urban Growth Boundary
Main Street	Mixed Use Corridor	Neighborhood Commercial	NC	City Limits
Mixed Employment Village	Mixed Use Corridor	Mixed Use Corridor	MUC-2	Future Road Connections
North Employment Campus	Industrial	Campus Industrial	CI	Streams

1. North of Old Acres Road – In response to concern from property owners about high-density residential development adjacent to Old Acres Road, the map is adjusted such that R-5 single family development is adjacent to that road. Additionally, some lands on the east edge of the R-2 district is extended across the street to allow for a "Neighborhood Focal Point" as identified in the plan.

Figure 1. BRCP Land Use Map Changes between April 9 and June 7, 2019

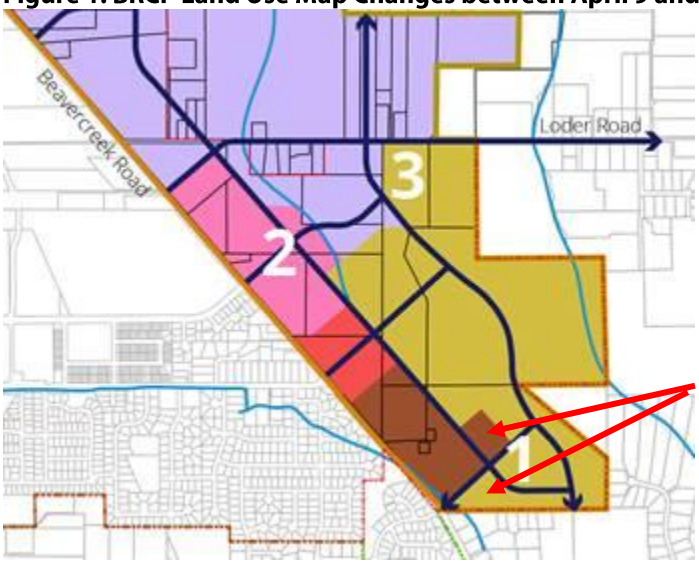
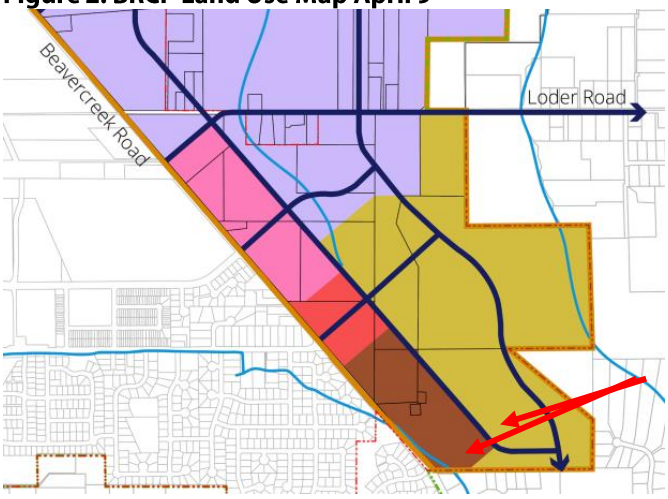


Figure 2. BRCP Land Use Map April 9



2. South of the Natural Resource Overlay District (NROD) in the South Central Open Space – the area north of the road parallel to Beavercreek Road was originally zoned North Employment Campus (CI), but with the NROD and South Central Open Space overlays, there were two remnants that would be too small for industrial uses. The plan identifies this area as part of the Mixed-Employment district (MUC-2), so the boundaries are adjusted to make these remnants part of the MUC-2 district to better conform with the plan and avoid creating unusable lot remnants. Adjusted lines also conform with Title 4 identified lands to avoid conflict.

Figure 3. BRCP Land Use Map Changes between April 9 and June 7, 2019

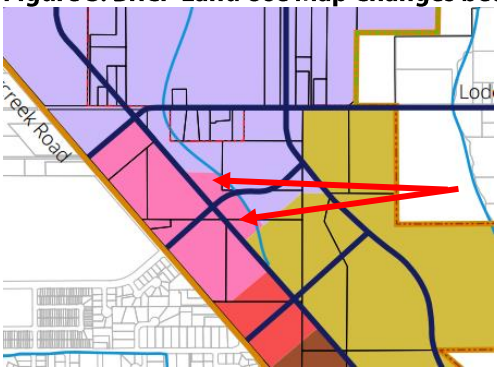
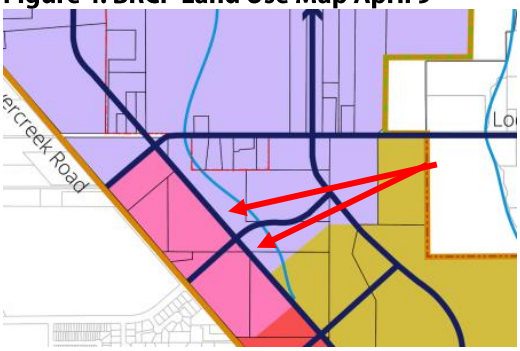


Figure 4. BRCP Land Use Map April 9



3. South of Loder towards the eastern edge of the BRCP area – In response to concern from the public about the prevalence and location of industrial lands near residential areas, lands zoned CI south of Loder Road and northeast of the easternmost north-south connector are adjusted to R-5. There is a small area that is Title 4 identified lands and is not adjusted.

Figure 5. BRCP Land Use Map Changes between April 9 and June 7, 2019

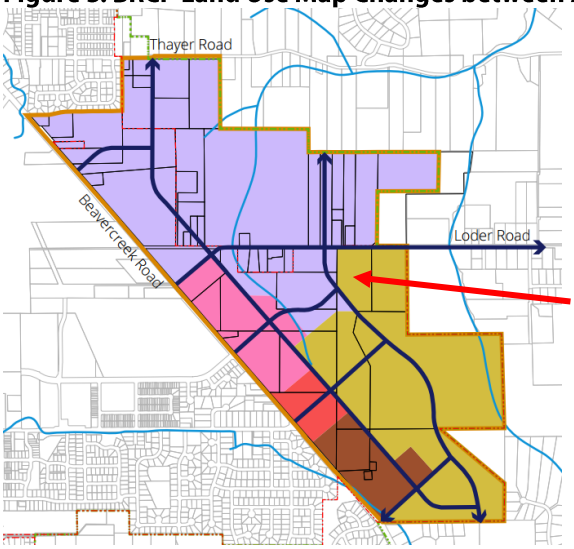
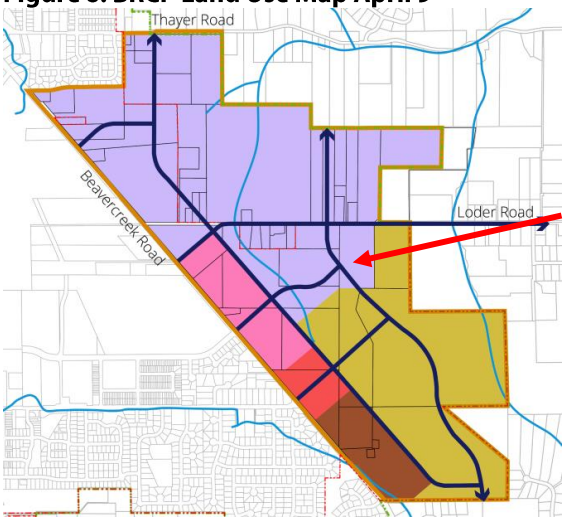


Figure 6. BRCP Land Use Map April 9



At the request of land owners with property north of Loder Road, 3J examined the possibility of changing zoning designations from employment to residential. Lands in the BRCP area north of Loder Road are designated as Metro Title 4 Industrial Lands (https://www.oregonmetro.gov/industrial-and-employment-land) which prohibit residential uses and thus this request could not be considered.

- - - END OF DOCUMENT - - -

ECONorthwest
ECONOMICS • FINANCE • PLANNING

DATE: June 21, 2019
TO: Christina Robertson-Gardner, City of Oregon City; Steve Faust, 3J Consulting
FROM: Bob Parker and Matt Craigie, ECONorthwest
SUBJECT: Beavercreek Road Concept Plan - Zoned Capacity Analysis - REVISED

The City of Oregon City contracted ECONorthwest to review and verify previous analyses conducted for the Beavercreek Road Concept Plan. The purpose of the project is to determine if the Beavercreek Road Planning Area—as planned—will have the future zoned capacity to accommodate the Plan's projected number of jobs. In its simplest terms, this analysis is about fit and capacity. The key question is whether the zoning regulations that are being put in place over the Planning Area will actually allow for the 5,000 estimated jobs to occupy future buildings in the area. This analysis does not account for current or projected future market trends; it is exclusively focused on the examination of land use regulations and their implications for job capacity.

Findings

Our analysis shows that the Beavercreek Road Planning Area will have sufficient zoned capacity to accommodate estimated future employment growth. Under current zoning standards, the Planning Area at full build-out will be able to accommodate between 5,700 and 11,700 jobs (Exhibit 1, Rounded). These capacity levels are 15% to 131% more than the targeted 5,000 jobs for the Planning Area. Economic conditions will determine how the area is eventually built out, but zoned capacity is adequate to allow for a range of future job numbers that are at or above desired employment levels as described in the Beavercreek Road Concept Plan.

Exhibit 1. Beavercreek Planning Area, Zoned Capacity.

Sub-District	Maximum Zoned Job Capacity	Zoned Job Capacity with Market Considerations
Main Street	727	352
Mixed Employment Village	2,827	1,399
North Employment Campus	8,169	3,983
Total	**11,723**	**5,734**

Source: ECONorthwest

Our zoned capacity model was built using Oregon City's current zoning standards. Here we present two capacity estimates:

- First, **the maximum job capacity** for the area shows the total number of jobs that could fit in the area under current regulations.
- Second, the lower estimate—**Job Capacity with Market Considerations**—illustrates another interpretation of Oregon City's zoning regulations. In this second scenario, we have further restricted the scale of allowable development by: (1) modeling an underbuilt of total development as a result of insufficient parking areas, and (2) dedicating a higher percentage of area on individual parcels to internal rights of way,

ingress/egress space, and private streets. This is intended to reflect potential market conditions that would reduce the amount of built space, and as a result, the number of employees.

The maximum zoned capacity scenario is a true maximum; meaning that this estimate is modeling the highest density of employment permissible by zoning regulations and standards, without any consideration for how employment areas generally get developed. For example, the maximum scenario assumes over 8,000 jobs in the North Employment Campus area. To accomplish this scale of development would require the development of acres upon acres of four-story office buildings that have relatively little parking area. Although permissible, this scenario is unlikely to occur and therefore is a poor estimate of the actual zoned capacity of the Planning Area.

The more restrictive scenario presents a situation where development scale is linked to our observations of the density of other similar industrial areas across the Portland region and therefore better reflects what one could expect to happen in the Beavercreek Planning Area. For this scenario, we have adapted parking ratios to those generally demanded in the marketplace and deducted some internal area of parcels for circulation space and other rights of way. The large size of some parcels, especially inside the North Employment Campus (NEC), would warrant these internal spaces dedicated to transportation flow and parking.

For example, many flex-industrial buildings—a desired development type for the NEC—are two story buildings with multiple tenants. These "flex" buildings are built to flexibly adapt to the needs of different tenants. They are built with adaptable internal build-outs (e.g. varying amounts of office and warehouse space) and feature enough parking for employees as well as truck loading/unloading, circulation, and outdoor storage. Therefore, it is common to see flex buildings with not just enough parking and circulation space for employees that are coming and going from work, but to accommodate a wider variety of truck space, outdoor storage space, and general circulation space. In our model, we reflect these common observations by both increasing the parking ratio and reducing the number of stories for buildings in the NEC. These changes bring the potential development scale for the NEC in line with the maximum build-out observed in other industrial areas of the region.

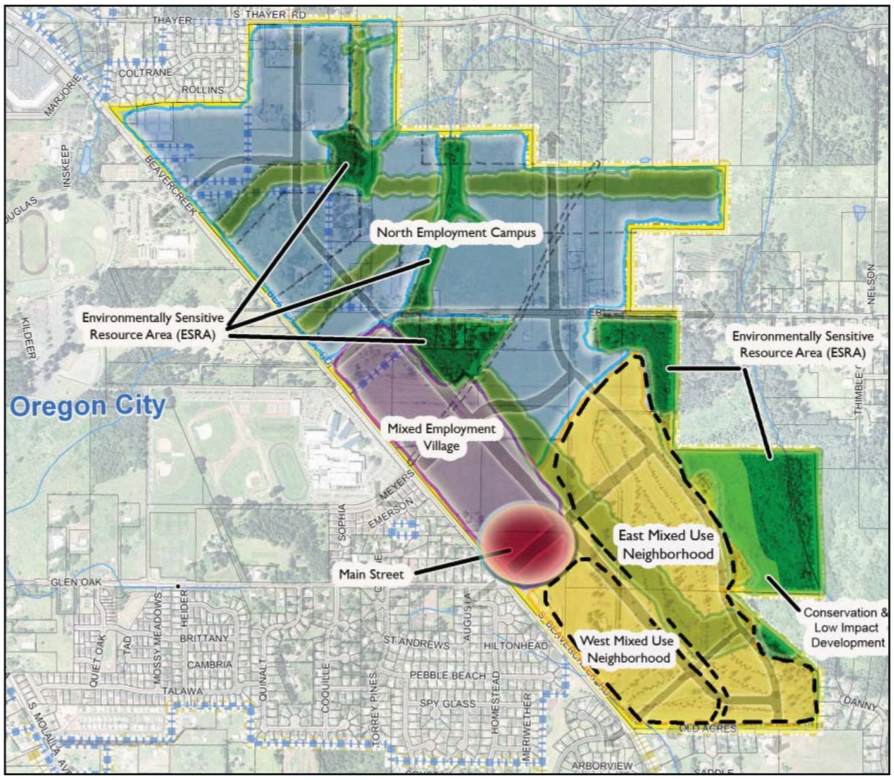
With these changes, the restrictive—and more realistic—scenario shows a zoned capacity of the Planning Area to be reduced from the maximum scenario (11,723 down to 5,734). Despite the reduction, there still is adequate space to accommodate the 5,000 projected jobs.

Economic and market trends will inform the type, scale, and demands of future development of the Beavercreek Planning Area. Whatever development does eventually get built in the area, our analysis shows that zoning regulations and standards will allow for enough developable space for the desired amount of employment.

Background

In 2008, Oregon City contracted the consulting firm Otak, in collaboration with several consultants (including ECONorthwest), to develop a concept plan[1] for a 453-acre site in the southeast area Oregon City. The Plan envisioned a diverse mix of uses, organized by five sub-districts (see Exhibit 2).

Exhibit 2. Land Use Sub-Districts for Beavercreek Road Concept Plan
Source: Beavercreek Road Concept Plan, Envision a Complete and Sustainable Community, 2008.



The five subareas are summarized as follows:

1. **North Employment Campus (NEC)** allows clean industries, offices servicing industrial needs, light industrial uses, research and development, and large corporate headquarters.
2. **Mixed Employment Village (MEV)** allows retail and offices (including civic and residential uses).
3. **Main Street (MS)** allows small scale commercial and mixed-use services.
4. **West Mixed-Use Neighborhood (WMU)** allows live/work units, mixed use buildings, limited commercial uses, and—to a larger extent—housing.

[1] Beavercreek Road Concept Plan, Envision a Complete and Sustainable Community, 2008.

5. **East Mixed-Use Neighborhood (EMU)** primarily allows housing.

At present, Oregon City is revisiting the concept plan as a step toward the Plan's implementation. The City has asked several consultants to review and analyze select parts of the concept plan to verify the veracity of its underlying analyses. A key aspect of this effort is to understand whether the Planning Area will have the zoned capacity to accommodate the Plan's stated number of future jobs. ECONorthwest was assigned this task. To answer this key question of zoned capacity, we reviewed the findings of the 2008 work and conducted additional analyses. Our approach and a description of our analysis is outlined in the next section.

Approach

Our approach to this analysis had a few steps. These included:

- **Collecting and verifying data.** The first step involved gathering applicable data from the Plan, from the City, and other sources. Employment projections come directly from The Plan. The Plan identified an estimated capacity for approximately 5,000 jobs (for reference, the output table from the Plan is presented in Appendix A).

  We also compiled an organized list of Oregon City's development codes, standards, and regulations from the City's current municipal code. These regulatory standards were used to create our zoned capacity model.

- **Developing a zoned capacity model.** Using Oregon City's development code and standards, we generated a catalogue of zoning requirements and limitations for each zoning designation that comprises the five sub-districts of the Planning Area. With this information, we developed a model that calculates the maximum job capacity for each sub-district. To calibrate the model to likely future outcomes, we relied on planning and development assumptions taken from our observations of similar fully built-out areas around the Portland Metropolitan region.[2]

- **Reconciling zoned capacity model output with future employment projections**. This step formed the central part of our analysis. In this step, we used the output of the zoned capacity model—the job capacity for each subarea of the Planning Area—and matched those outputs to future employment projections.

  A more detailed description of our analysis is presented in the next section.

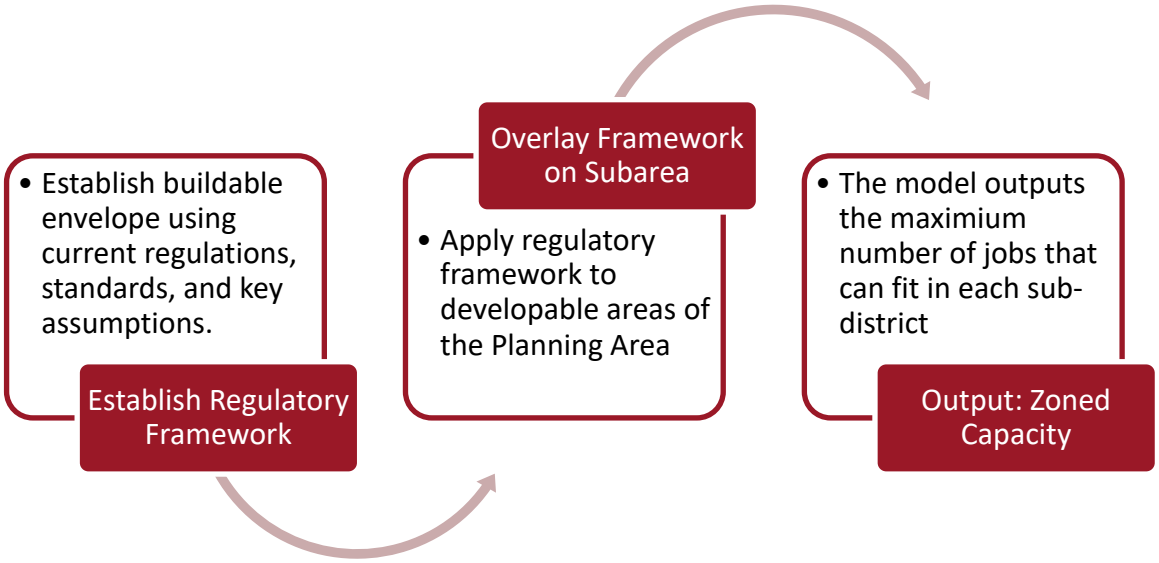
[2] Key assumptions for this analysis, include: actual parking ratios, percent of parcels that achieve full build-out, common building to land ratios, among others.

Description of Zoned Capacity Analysis

The Model

To understand the future capacity of jobs in the Beavercreek Road Planning Area, we built a model that mimics zoning regulations and standards for the expected land use zones to be applied to the Planning Area sub-districts. The model works by taking key inputs and assumptions about the regulatory framework that will govern land uses in the Planning Area and overlaying them across the developable land of the area. The output of the model is the maximum zoned capacity for jobs within the Planning Area (See Exhibit 3).

Exhibit 3: Zoned Capacity Model Process
Source: ECONorthwest.



Key Model Inputs and Assumptions

To arrive at an accurate understanding of the zoned capacity for jobs of any to-be-developed area requires a large set of inputs and assumptions. For this type of analysis, the type of inputs and assumptions are related to regulations and standards that will guide the development of new buildings and their supportive elements (e.g. parking). Some inputs are rigid and unlikely to change, such as maximum building heights or setbacks. Assumptions are more qualitative and require specialized knowledge about aspects of how real estate gets developed. Inputs and assumptions also have a varied impact on the output of the model. Some, like parking ratios, have a strong influence on the model's output. Others have less of an impact. Below we describe inputs and assumptions that have a major impact on the model's output.

- **Dimensional standards.** Dimensional standards define the maximum "box" that a building can fill on a parcel. These standards are determined through setbacks, maximum building heights, landscaping requirements, and other restrictions.

  Source: City of Oregon City Development Code.

- **Employment density.** This assumption describes the relationship between build-area (area inside buildings) and the number of jobs that fill those spaces. This assumption is typically described as jobs per square feet of building area. This is a key metric for this analysis. The smaller the number, the higher the job density. Larger numbers mean fewer jobs per building area, and therefore fewer jobs overall.

  Source: Metro Employment Density Study, ECONorthwest.

- **Parking ratios.** The amount of automobile parking that is available for a new development is a key factor in determining its viability. Whether capped by regulations or demanded by the market, new developments need a certain amount of parking to attract funding and become economically successful land uses. Most cities, Oregon City included, provide regulations about the minimum and maximum amount of parking for new developments. Sometimes these regulations are perceived to be out of sync with what the real estate market demands. This can happen when urban, transit served developments are required to have "too much" parking. Or when suburban areas with little accessibility do not have sufficient land for necessary parking to support new development.

  In our observations of real estate development, one of the primary reasons that development projects get "under-built", or do not achieve the building height or scale otherwise permissible by development regulations, is too little provision of on-site parking. For this analysis, we have used Oregon City's parking regulations as a general guide for the amount of parking that will be required to accompany new developments in the Planning Area.

  Source: City of Oregon City, ECONorthwest.

- **Parcel size and building to land ratios.** The Beavercreek Planning Area of tomorrow is expected to look remarkably different than it does today. As it develops, property owners will sell to developers who, in many cases, will aggregate several parcels of land to create a "developable parcel" for their specific desired land use. To understand what size these future parcels may be and to what extent they will be covered with a building footprint, we observed several areas of the Portland region that contain similar land uses to those proposed for the Planning Area. These observations, combined with our knowledge of specific types of development elsewhere, formed our assumptions for future parcels sizes and building to land ratios.

  Source: ECONorthwest.

- **Maximum build-out and "under-build".** Each developable piece of land has an invisible envelope or "box" that forms the vertical area in space that a building can

occupy. This box is determined by the zoning regulations and standards that govern the land use of that property. Building to full capacity would mean that this box is entirely filled with building area. Many times, developers "under-build" or chose to not fully take advantage of all of the vertical buildable space available to them. In an economic sense, it would be advantageous for a developer to build as much building area as she could lease or sell. If some of this building area does not contribute economically to her pro forma or if it is hard to lease or sell, she may choose to build a smaller building. As stated in the parking ratios description, we commonly observe that developers chose to under-build their properties when they are unable to secure access to a sufficient level of parking.

For this analysis, we have assumed that many of the future developable parcels will under-build for lack of parking or other reasons. This is in-line with our observations of developed areas that are similar to the Planning Area in other parts of the Portland region.

- **Source**: ECONorthwest

Key Data

This analysis is focused on one key question: Will the future regulatory environment of the Beavercreek Planning Area allow enough buildable area to accommodate the projected number of future jobs for this area. To answer this question, we relied upon data from the several sources. Key data to this analysis are as follows:

- **Projected Jobs for the Planning Area.** We have relied on the projected number of jobs for the Beavercreek Planning Area as stated in The Plan. The Plan identified an estimated capacity for approximately 5,000 jobs (for reference, the output table from the Plan is presented in Appendix A).

  This number of jobs—5,000—is a key data point for this work. It is the number of jobs that we are trying to fit into the Beavercreek Planning Area.

- **Planning Area Size and Developable Acres.** The Planning Area is approximately 449 acres in total size (gross size). Per the Plan, of this 449, there are 241 net developable acres. The difference between 449 and 241 includes roads, easements, wetlands, and other undevelopable lands.

Together the (1) projected job numbers, and (2) the developable area within the Planning Area form the two key data points for this analysis. These data can be further divided by sub-district of the Planning Area (See Exhibit 4). This is an important point; each sub-district has its own employment projections and will have its own zoning regulations.

Exhibit 4. Beavercreek Planning Area Sub-Districts: Estimated Jobs and Net Areas (Acres)[3][4]
Source: City of Oregon City, ECONorthwest.

Planning Area Sub-District	Estimated Jobs	Net Developable Acres
North Employment Campus (NEC)	3,678	132
Mixed Employment Village (MEV)	1,139	26
Main Street	219	7
West Mixed-Use Neighborhood	15	12
East Mixed-use Neighborhood	21	65
Totals	**5,073**	**241**

Findings

See the first page of this report for a discussion of our findings.

[3] Rounding of numbers may result in approximate totals. *Note: The acreage estimates do not exactly align with those in Exhibit 6. Acreages in Exhibit 6 have been reevaluated since the time of The Plan. In our analysis, we are using the latest size estimates provided by the City of Oregon City.*

[4] We concentrated our analyses on the three sub-districts with significant employment projections. The mixed-use neighborhoods have been excluded from our analyses.

Appendix A. Employment Estimates, 2008

The Beavercreek Road Concept plan estimated employment capacity at approximately 5,000 jobs (33 jobs per net acre).

Exhibit 5. Employment Estimates, Beavercreek Road Planning Area
Source: Beavercreek Road Concept Plan, Envision a Complete and Sustainable Community (pg. 42), 2008.

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

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

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

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

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

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

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

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

TECHNICAL MEMORANDUM

To: Christina Robertson-Gardiner, AICP
Oregon City Senior Planner

John M. Lewis
Oregon City Public Works Director

From: Aaron Murphy, P.E.
Steve Faust, AICP

Date: June 19, 2019

Project Name: **Beavercreek Road Concept Plan Implementation – Zoning and Code Amendments**
Project No: **18510.70**
RE: **Infrastructure Memo**

The City of Oregon City (City) has initiated a project to update the Oregon City Comprehensive Plan Map, Zoning Map and Municipal Code to allow planned housing and mixed-use development to occur in the Beavercreek Road Concept Plan (BRCP) area. Updates will apply zoning and map designations for properties within the BRCP area.

As part of the BRCP Implementation project, 3J Consulting has been tasked to review the City's water distribution, sanitary sewer and stormwater master plans and comment on the adequacy of current and planned infrastructure to support the number of new dwelling units and employees that are projected in the BRCP and will be formalized through the zone change.

Beavercreek Road Master Plan
The Beavercreek Road Concept Plan (BRCP) is a guide to the creation of a complete and sustainable neighborhood in southeast Oregon City. The plan, adopted in 2008 and again in 2016, provides a framework for urbanization of 453 acres within the urban growth boundary including a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods), all woven together by open space, trails, a network of green streets, and sustainable development practices. The plan has been carefully crafted to create a multi-use community linking Clackamas Community College, Oregon City High School, and adjacent neighborhoods together.

The BRCP includes Housing and Employment Estimates for the various land use categories:

Land Use Category	Number of Jobs	Number of Dwelling Units
North Employment Campus	3,678	-------
Mixed Employment Village	1,139	-------
Main Street	219	100
West Mixed Use Neighborhood	15	387
East Mixed Use Neighborhood	21	536
Total	**5,073**	**1,023**

Updated projections based on land use maps developed for this project to implement the BRCP estimate the number of dwelling units at 1,105 and jobs at 5,734. We do not consider the change reflected in the revisions to be significant and therefore do not impact the findings of this memorandum.

Zone Change Criteria
The relevant criteria (17.68.020) for a zone change are set forth as follows:

B. That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed by the zone, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone.

This memorandum reflects a first look at the adequacy of current and planned infrastructure to meet the needs of future development. A more detailed look at existing conditions will be needed at the time of development to identify capital improvements needed to show consistency with the Master Plan.

Major Findings
The Sanitary Sewer (2014), Stormwater (2019 Draft) and Water Distribution (2012) Master Plans were all created subsequent to initial adoption of the Beavercreek Road Concept Plan (2008). Each master plan incorporates the BRCP area into future capital improvement projections, but methodologies vary among plans. This conclusion was confirmed through a conversation with Oregon City Public Works Director, John Lewis.

Sanitary Sewer Master Plan (SSMP)
Figure 5-8 on page 5-11 of the 2014 Sanitary Sewer Master Plan refers specifically to the projected Housing and Employment Estimates on page 42 of the BRCP.

Stormwater Master Plan (SWMP)
The Draft 2019 Oregon City Stormwater Master Plan includes the BRCP area, which is part of the Newell Creek Basin, but does not identify any capital improvement projects specifically related to the BRCP. The Plan states that the eventual layout of the stormwater conveyance systems and management facilities will be crafted through the preliminary and final design process for the BRCP area.

Water Distribution Master Plan (WDMP)
The 2019 Technical Memorandum - Oregon City Water Distribution System Capital Improvement Program Update was prepared to provide an update to the 2012 WDMP, including a list of capital improvements. Page 21 of the memo specifically discusses Beavercreek Road development and defines the City's pressure zones that encompass the BRCP.

Economic, Social, Environmental and Energy (ESEE) Analysis
The ESEE consequences that can occur within the proposed MUC, NC, CI, R-5 and R-2 zoning will not result in a greater conflict to the Goal 5 resource mapped on the site over the current FU-10 zoning. The change in zoning from FU-10 to MUC, NC, CI, R-5 and R-2 may result in lesser amounts of environmental and energy consequences; however, MUC, NC, CI, R-5 and R-2 has opportunity to provide increased economic and social benefits. Mixed use centers allow City residents to live near their work, which tends to reduce vehicle use, which minimizes potential air, water and energy quality impacts.

The Goal 5 resources mapped on the site is protected under Chapter 17.49 Natural Resource Overlay District of the City's code of ordinances, regardless of site zoning. Chapter 17.49 of Oregon City code is compliant with Metro's Title 3 and 13 lands and the Statewide Planning Goal 5. Therefore, the potential for increased levels of impervious surfaces and vegetation loss associated with MUC, NC, CI, R-5 and R-2 development activities will be protected and if necessary mitigated through local permitting compliant with Chapter 17.49.

Master Plan Summaries

Sanitary Sewer Master Plan

A Sanitary Sewer Master Plan (SSMP) was prepared by Brown & Caldwell in November 2014. Section 5.2.3.4 of the SSMP focuses on the BRCP area. Table 5-8 of the SSMP references land use designations and the associated gross areas of the BRCP area to calculate sanitary flows to ultimately size pipe diameters and slopes.

Table 5-9 of the SSMP identifies the BRCP area Estimated Improvement Costs for Capital Improvement Plan (CIP) projects is $15,580,000. This amount includes a 50% allowance for construction contingencies.

The CIP list specifically related to the BRCP area includes:

- Gravity Sewer Extensions (8”-15”)
- Two (2) pump stations and associated force mains (BR-1 & BR-2)

Since the SSMP was published, improvements have been completed according to an email provided by Bob Balgos from the City dated March 25, 2019. These improvements include:

- 12” sanitary sewer extension south along Beavercreek Road near the north-end of the Oregon City High School property boundary.

Also identified in the email, City staff have identified construction proposed in 2019-2020:

- 12” sanitary sewer extension in conjunction with the Villages at Beavercreek Development located opposite Meyers Road on the east side of Beavercreek Road. The extension will be completed from the north-end of the Oregon City High School through the entire frontage of Villages at Beavercreek.

Further assessment of the CIP project amount will be necessary to include:

- Completed infrastructure upgrades such as Capital Improvement Projects (CIP), development etc.
- Anticipated infrastructure upgrades such as CIP projects or development such as Villages at Beavercreek
- Inflation and construction cost increases to current dollars.

Stormwater Master Plan

Five (5) Stormwater Master Plans (SWMP) were reviewed:

- Drainage Master Plan, OTAK 1988
- South End Basin Master Plan, Kampe Associates, Inc. 1997
- Caulfield Basin Master Plan, Kampe Associates, Inc. 1997
- Park Place Basin Master Plan, Kampe Associates, Inc. 1997
- Draft Oregon City Stormwater Master Plan. Brown and Caldwell, 2019

The BRCP area largely falls within the Newell Creek Basin. The Draft 2019 SWMP does not specifically reference the BRCP area, but the overall assessment does include recommendations for improvements for the Newell Creek Basin. The City’s stormwater treatment and detention methods apply for all current and future development of the BRCP area.

Page 2-7 references the Beaver Creek Road Concept Plan and states that the concept plan “outlines basic assumptions for the type and quantities of stormwater infrastructure that may be required to develop the planning area. These assumptions are useful for fiscal planning, but the eventual layout of the stormwater conveyance systems and management facilities will be crafted through the preliminary and final design process for [the BRCP] area.”

Low Impact Development (LID) Green Streets are identified for the Beavercreek Road Concept Plan area. The City is currently working on creating green street standards that will be applicable for both the South End and Beavercreek Concept Plan areas. These standards will be based on the identified street sections found in the Concept Plans and are being designed to meet the standards of the draft Storm water Manual. Adoption of these standards will occur in Fall 2019.

Water Distribution Master Plan

A Water Distribution Master Plan (WDMP) was prepared by West Yost Associates in January 2012. Although the WDMP does not specifically reference the BRCP area, the overall assessment does include recommendations for improvements that includes the UGB boundary that encompasses BRCP.

A Technical Memorandum - Oregon City Water Distribution System Capital Improvement Program Update (TM) was prepared by Murraysmith in March 2019. The TM was prepared to provide an update to the WMP produced in 2012, including a list of capital improvements and updated costs from 2009 to 2018 dollars. Page 21 of the memo specifically discusses BRCP area development and defines the City's pressure zones that encompass this area as Upper Zone and Fairway Downs Zone.

Table 17 of the TM identifies the updated CIP list and cost estimate including the improvements required for the City's Upper and Fairway Downs Zones for the BRCP area. The total estimated cost for CIP projects specific to BRCP area total $14,018,000.

The CIP project list includes:

- New Upper Zone distribution
- New Fairway Downs distribution
- New PRV between Fairway Downs and Upper Zone
- New Fairway Downs Reservoir
- New Fairway Downs Pump Station
- New Fairway Downs Transmission
- Transfer existing Henrici transmission to Fairway Downs transmission

The City and Clackamas River Water (CRW) share the need to serve current and future customers at adjoining service area boundaries within the BRCP area.

A Technical Memorandum – Clackamas River Water / City of Oregon City Joint Engineering Analysis Water Service Dual Interest Area Technical Analysis (TM2) was prepared by Murraysmith in June 2018. TM2 identifies opportunities for shared infrastructure partnerships which could ultimately provide a more cost-effective solution to both the City and CRW, see Table 3 of TM2.

The City is preparing a concurrent study to ensure the City can serve the BRCP area in the case that the City and CRW are not able to agree on a partnership to serve the area.

Economic, Social, Environmental and Energy (ESEE) Analysis

As part of a Zone Change analysis, the city requires substantial evidence that the possibility of land use development activities allowed under the new zoning (MUC, NC, CI, R-5 and R-2) will not result in a greater impact on the Goal 5 resources mapped on the site over the existing Future Urban (FU-10) land use development activities.

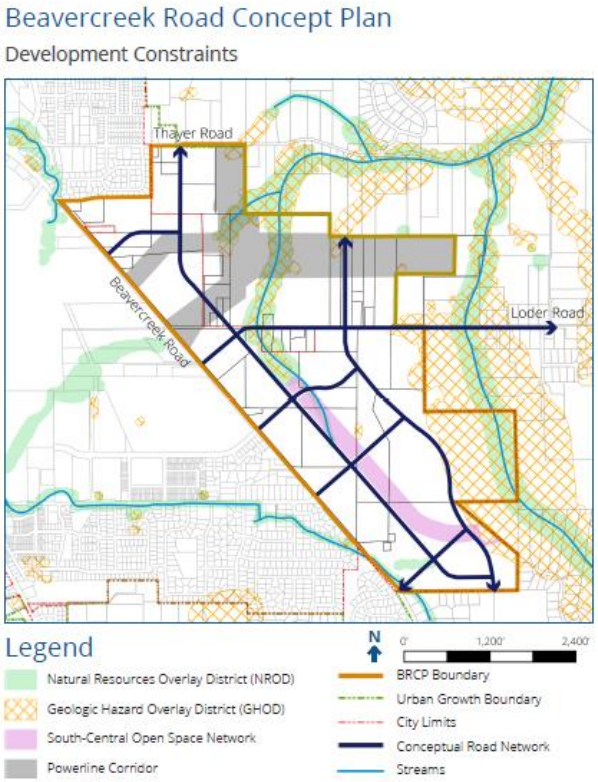
The ESEE analysis involves evaluating the potential tradeoffs associated with different levels of natural resource protection that could be established by the City. As required by the Goal 5 rule (OAR 660-015-0000(5), the evaluation process involves identifying the consequences of allowing, limiting or prohibiting conflicting uses in areas containing significant natural resources. The rule requires that this analysis be completed before actions are taken to protect or not protect natural resources that are identified in inventory and determined to be significant. Specifically, the rule requires the following steps:

1. Identify conflicting uses – A conflicting use is a land use or activity that may negatively impact natural resources.

2. Determine impact area – The impact area represents the extent to which land uses or activities in areas adjacent to natural resources could negatively impact those resources. The impact area identifies the geographic limits within which to conduct the ESEE analysis.

3. Analyze the ESEE consequences – The ESEE analysis considers the consequences of a decision to either fully protect natural resources; fully allow conflicting uses; or limit the conflicting uses. The analysis looks at the consequences of these options for both development and natural resources.

4. Develop a program – The results of the ESEE analysis are used to generate recommendations or an "ESEE decision." The ESEE decision sets the direction for how and under what circumstances the local program will protect significant natural resources.



Based on information provided in Exhibit 3 Economic, Social, Environmental and Energy (ESEE) Phase 1 Analysis of Metro's April 2005 UGB Growth Management Functional Plan ordinance, the section below describes the potential conflicting uses associated with the proposed zone designations could have the greater potential to have an adverse effect on the functions and values of the Goal 5 resource mapped on properties located within the Beavercreek Road Concept Plan area which include Thimble Creek and an unnamed tributary to Thimble Creek. Note the zoning themselves are not conflicting uses.

It is the development activities and other disturbances permitted under the zoning that potentially conflicts with the functions and values associated with the Goal 5 resource. The City of Oregon City developed their Chapter 17.49 Title 13 regulations based on Metro's UGB Management Function Plan. Therefore, the ESEE analysis provided below is consistent with Oregon City's Goal 5 ordinance.

<u>Economic Consequences</u>
FU-10 – May provide increased adjacent property value. Large Lots associated with FU 10 zoning will retain more vegetation and tree cover than the new zones associated with the Beavercreek Road Concept Plan activities; however, does not provide an overall economic value to the community.

R-5 & R-2- These medium density and high density zones can provide a response to the known regional problem of limited housing supply and skyrocketing housing prices affecting the Portland Metro Area and Oregon City. There is a mismatch between supply and demand of housing that is leading to limited availability and affordability challenges for many households. Looking at the latest census data, in Oregon City, 71% of residential units are single-family detached homes, dominating the housing market. All other housing types make up 29% of the housing options, combined, ranging from manufactured homes and floating homes to 20-unit apartment complexes.

Housing prices are increasingly unaffordable, which is typically defined as spending more than 35% of household income on housing. Almost 24% of homeowners with a mortgage have unaffordable costs, and over 40% of renters can't afford housing costs. Overall, one in four households are struggling to pay for housing. Single-family detached homes, a traditional free-standing house with a yard and space for 3.2 children, dominate the supply but comes at a high cost that is increasingly out of reach, leading to homelessness in some cases. With smaller households more and more common, the city's needs don't match the homes available. Additional housing choices that include duplexes, tri-plexes, townhomes, apartments and cluster housing can provide alternatives to the predominate single family housing model found in Oregon City.

MUC, NC and CI – Enhances the potential for local economic development. The zone change supports Metro's Growth Concept Plan underlying goals to provide employment, income, and related tax benefits to local community.

Summary: While FU-10 may result in less vegetation removal, the MUC, ND, CI, R-2 and R-5 land uses provides a greater economic benefit to the community through increased housing options, employment and educational opportunities and reduced transportation facilities and utilities. These zones promote more efficient use of land, minimizing urban sprawl.

Therefore, the conflicting uses associated with MUC, NC, CI, R-5 and R-2 development activities provides a greater economic benefit, outweighing the FU-10 conflicting uses.

<u>Social Consequences</u>
FU-10 –-Goal 5 resource provides natural stress relief to employment occupants. The R-2, R-5, ND, CI and MUC-2 land uses may also provide potential public educational and recreational benefit though passive open space viewing and the ability to dedicate future park space as development occurs within the BRCP area; however, there is a potential to reduce the scenic value.

Summary- Change in conflicting use zoning from FU-10 may provide an increased social benefit to Oregon City.

<u>Environmental Consequences</u>
FU-10–Impacts to Goal 5 resources and associated Impact Area (buffer) for FU-10 development may require: removal of native vegetation; non-native landscaping; pesticide and fertilizer use; and pets which tend to degrade habitat and water quality.

MUC, NC, CI, R-5 and R-2 can create larger building footprints than FU-10 which may result in increased vegetation removal; however, MUC, NC and CII offer decreased VMT (vehicle miles traveled) which reduces overall water quality impacts in the local watershed. Minimal light and glare into Goal 5 resource and buffer. Provides overall moderate to high imperviousness, low infrastructure requirements, and low to moderate overall natural landcover.

Summary: Due to smaller development footprints, disturbance activities associated with FU-10 conflicting uses may provide a lesser degree of impact to the Goal 5 resource and associated buffer than MUC, NC, CI, R-5 and R-2 conflicting use development activities. However, MUC, NC, CI, R-5 and R-2 stricter water quality standards, providing potential for overall lesser amounts of impact to the local watershed.

<u>Energy Consequences</u>
FU-10- Tends to retain more trees than other zoning, reducing air quality and temperature impacts. However, tends to create more infrastructure (utilities and roads) and greater travel distances which can have a negative energy consequence.

MUC, NC, CI, R-5 and R-2 - Energy efficient zoning because it decreases VMT (vehicle miles traveled) and overall infrastructure requirements. Potential to reduces the amount of overall development through shared

parking. Shared parking areas have vegetated islands reducing imperviousness and negative energy consequences associated with temperature regulation.

Summary: MUC, NC, CI, R-5 and R-2 conflicting use development activities for energy consequences may result in lesser impact on the Goal 5 resource and associated buffer over FU-10 development activities.

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DRAFT MEMORANDUM

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DATE: June 21, 2019

TO: Christina Robertson-Gardiner, City of Oregon City

FROM: Kevin Chewuk, DKS Associates
Amanda Deering, DKS Associates

SUBJECT: Oregon City Beavercreek Land Use Review P19082-001

This memorandum summarizes how the requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), are met for the Beavercreek Concept Plan area in Oregon City, Oregon. The study area comprises the adopted 2008 Beavercreek Concept Plan area which established land use designations, design guidelines and future transportation infrastructure needs. The Beavercreek Concept Plan area is roughly bounded by the Urban Growth Boundary to the east, Beavercreek Road to the west, Old Acres Road to the south and Thayer Road to the north. The following sections describe the consistency of the Beavercreek Concept Plan with the current Oregon City Transportation System Plan (TSP).

Land Use Assumptions

The Beavercreek Concept Plan area includes about 5,700 new jobs and 1,100 new housing units. Table 1 describes the assumptions that were used. For the Oregon City TSP, vehicle trips within the Beavercreek Concept Plan area were estimated based on around 1,639 new jobs and 355 new households. The Beavercreek Concept Plan was held up in the Oregon Land Use Board of Appeals (LUBA) during the recent update to the Oregon City TSP, thus the zoning in the Beavercreek Concept Plan area did not reflect the rezoned land resulting from the plan.

Land Use and Motor Vehicle Trip Generation Assumptions

The impact of the increased vehicle trip generation on the surrounding transportation system, as a result of the Beavercreek Concept Plan, will be evaluated through the year 2035 (consistent with the horizon year of the current TSP).

For the current Oregon City TSP, vehicle trips were estimated based on the existing land use assumptions (see Table 1). These trips are included in the 2035 TSP Baseline scenario. For the TPR analysis, the Beavercreek Concept Plan was estimated to accommodate 750 more housing units and 4,095 more employees than the current TSP.

Vehicle trips that would be generated by the increased housing units and employees were estimated by applying the Metro Regional Travel Forecast model trip generation rates by land use type. Overall, the Beavercreek Concept Plan is expected to generate about 2,584 motor vehicle trips during the p.m. peak hour, or 925 more than what was assumed in the current TSP.

Table 1: Land Use Assumptions

Scenario	New Housing Units	New Employees	Forecasted Weekday PM Peak Hour Vehicle Trip End Growth
TSP Baseline (without Beavercreek Concept Plan)	355	1,639	1,659
Beavercreek Concept Plan	1,105	5,734	2,584
Change (With Beavercreek Concept Plan – Without Beavercreek Concept Plan)	**+750**	**+4,095**	**+925**

2035 Motor Vehicle Operations

Future p.m. peak hour traffic forecasts were prepared for two land use scenarios, including:

- **TSP Baseline (without Beavercreek Concept Plan) –** This scenario assumes the land use within the Beavercreek Concept Plan will be built out consistent with the prior TSP analysis. It includes the improvement projects listed in the "Baseline Transportation System Improvements" section.
- **Beavercreek Concept Plan –** This scenario assumes full buildout of Beavercreek Concept Plan area. It includes the improvement projects listed in the "Baseline Transportation System Improvements" section.

With each of these two land use scenarios, a sensitivity option was tested that assumed the planned segment of Holly Lane between Maple Lane Road and Thayer Road would not be completed. The forecast will include 2035 volumes to match the TSP horizon year.

Baseline Transportation System Improvements

The starting point for the future operations analysis relied on a list of street system improvement projects contained in the Oregon City TSP. These projects represent only those that are expected to be reasonably funded, and therefore can be included in the Baseline scenario. Many of the projects in the Beavercreek Concept Plan area will be constructed as private development occurs. Others will be

constructed as part of public infrastructure improvements or concurrent with adjacent private developments. The improvements assumed include:

- Roundabout installation at the **Beavercreek Road/Glen Oak Road** intersection (TSP Project D39)
- Roundabout installation at the **Beavercreek Road/Loder Road** intersection (TSP Project D44)
- **Meyers Road** extension from OR 213 to High School Avenue (TSP Project D46)
- **Meyers Road** extension from Beavercreek Road to the Meadow Lane Extension (TSP Project D47)
- **Clairmont Drive** extension from Beavercreek Road to the Holly Lane South Extension (TSP Project D54)
- **Glen Oak Road** extension from Beavercreek Road to the Meadow Lane Extension (TSP Project D55)
- **Timbersky Way** extension from Beavercreek Road to the Meadow Lane Extension (TSP Project D56)
- **Holly Lane** extension from Thayer Road to the Meadow Lane Extension (TSP Projects D58 and D59)
- **Meadow Lane** extension to the Urban Growth Boundary, north of Loder Road (TSP Projects D60 and D61)
- **Loder Road** extension from Beavercreek Road to Glen Oak Road (TSP Project D64)
- **Beavercreek Road** improvements from Clairmont Drive to the Urban Growth Boundary, south of Old Acres Lane (TSP Projects D81 and D82)
- **Loder Road** improvements from Beavercreek Road to the Urban Growth Boundary (TSP Project D85)

Intersection Operations

During the evening peak hour, all study intersections operate within adopted mobility targets under all scenarios after assuming the baseline transportation system improvements from the TSP. The traffic analysis results are summarized in a separate memorandum.

TPR Findings

Overall, the current TSP includes adequate transportation system projects for the Beavercreek Concept Plan area to comply with the Transportation Planning Rule (TPR). All transportation impacts as a result of the additional housing units and employees in the Beavercreek Concept Plan area are

addressed by current TSP projects. This includes the widening of Beavercreek Road through the project area to a 3 or 5-lane cross-section (to be determined in separate memorandum) and intersection control improvements to the Loder Road and Glen Oak Road intersections with Beavercreek Road (roundabout or traffic signals, to be determined in separate memorandum).

Beavercreek Road Concept Plan - Zoning and Code Amendments
Consolidated Comment Tracker January 2019-June 2019

Transportation	
Ensure that traffic flow is efficient and safe around the BRCP area (roundabouts or traffic signals), considering school drop off/pickup, different uses (e.g. Industrial-type traffic near residential areas) and trips generated outside the study area. Concern about emergency access to the area.	Currently preparing an assessment of transportation facilities and will present preliminary findings on road capacity and traffic control at the June 10 public meeting.
If Beavercreek Road is widened, will it be expanded to the east?	Efforts are made to expand equally in each direction from the road center line, assuming street rights-of-way allow for it.
How many road connections will be made to Beavercreek Road?	Currently the only road connections will be at existing intersections (Loder Road, Meyers Road and Glen
Require transportation infrastructure improvements before development begins.	We are considering the timing of infrastructure as development comes online. Development applications are required to build infrastructure to support their development. There are state and local land use requirements that look at the proportionality a project has to the city's infrastructure network both on and offsite of a development proposal. In some cases, development can be required to provide an offsite improvement as a condition of development, other times, they pay system development fees that help pay for larger capital improvement projects. The city is also looking at ways we can apply for grants, or work with developers to create local improvement districts or advance finance districts to better coordinate the timing of infrastructure.
Meyer Road or Glen Oak as the main street? Meyer is the bigger street and closer to CCC and high school.	Will explore Main Street options and provide an opportunity for further discussion at the April 9 public meeting.
Ensure that there is adequate parking to accommodate uses without congestion, especially around residential areas, but this should be balanced with creating pedestrian-friendly environments, especially around the MUC. Will the City pursue or require structured parking in the Main Street or Mixed Use areas?	Oregon City Development Code OCMC 17.52 requires minimum and maximum parking standards per use. It is not anticipated that this project will recommend any revisions to those requirements. All new development in Oregon City requires parking to be located to the side or rear of commercial uses. The project team is currently looking at how to encourage or require parking to be located to the rear of the commercial uses in the Glen Oak Mixed Use Center to better add in the pedestrian feel of the street and strategies for customers to minimize customers using the on-street parking in nearby neighborhoods.
Pursue adequate transit service in the BRCP will require coordination between jurisdictions to properly plan and secure funding.	City participates in ongoing conversations with TriMet, Clackamas County, Clackamas Community College, and Public Works about transit service. Ultimately, mass transit service is driven by population/jobs demand, though shuttle services can be more flexible.
Ensure adequate infrastructure and amenities to support safe bike and pedestrian movement within the BRCP, especially crossings of Beavercreek Road.	Concept Plan includes provisions for multi-modal transportation options which will be implemented through this Zoning and Code Amendments process. Certain streets will contain on-street or off-street bike paths and connect with a larger bicycle system as identified in the Transportation System Plan. Commercial and multi-family uses will also have mike parking requirements.
Parks, Trails and Open Space	
BRCP should ensure safe and aesthetic walking paths and trails to support pedestrians, especially school children.	Concept Plan includes provisions for sidewalks and off-street pathways which will be implemented through the Zoning and Code Amendments process. The design of Beavercreek Road and zoning should consider the proximity to the high school and potentially a future school south of the plan area.
Adequate green spaces, open spaces, and recreational areas, especially in the industrial area, are desirable.	Provisions will be made for open spaces, parks and trails throughout the Concept Plan area. The plan calls for parks and existing requirements in the code identify buffers around streams and wetlands and steep slopes.
When will proposed parks and trails be developed?	Land acquisition for parks will occur as part of development reviews. The construction of the parks is based on the Community Services (Parks Department) Capital Construction timeline/prioritization.
Residential	
Prioritize residential before other types of development.	Once the area had been rezoned, the timing and location of development will be left to the market and property owner to decide when to develop their property. The City will not do any development of homes or businesses. However, any development is required to make sure the proper infrastructure is in place to support proposed development.
Residents would like to see high-quality and well-designed residential units with sufficient open space and street trees and a maximum height of 3 stories.	The design team are looking at design standards, open space, landscaping and building height limits which will be addressed through this Zoning and Code Amendments process.
Support a broad variety of housing types, denser in the West Mixed Use area.	The plan envisions a higher density in the West Mixed Use area. Project staff is looking at code amendments to implement a mix of commercial and residential uses.
Non-residential uses in the residential area should have impacts on the surrounding neighborhood that are consistent with the zone. These impacts are lower in residential-only areas and increase when approaching non-residential zones. Prefer live/work and home occupations.	The design team is looking at identifying an appropriate type of non-residential uses and ways to mitigate their impacts.
Include affordable housing and alternative housing options in the BRCP.	Affordable housing is housing which is deemed affordable to those with a median household income or below as rated by the national or local recognized housing affordability index. Affordable housing development is generally done through cooperation with government and non-profit funding to subsidize the rental or ownership cost of a unit. The zoning code regulates uses and does not regulate the pricing of the housing. What zoning codes can do, is allow multiple types of housing to be allowed in a zone such as duplexes, cluster housing and row housing which can offer more option to the consumer than just a single family house. The City Commission is currently considering adding these types of uses to residential zones citywide. Visit https://www.orcity.org/planning/housing-and-other-development-and-zoning-code-amendments to lean more about this process. The plan will consider a variety of housing types which may have less expensive housing options.
Prefer sidewalks over alleys. Alleys create more burdens than benefits.	In areas where alleys are required by current city code-sidewalk are also required in the front of the properties. The City Commission is currently considering if existing alley requirements should remain.
There should be a gradual tapering of density at the edge of residential areas. Buffers with surrounding areas should primarily be setbacks or open space, not a physical wall or barrier. There should be more than 25 feet between residential and industrial uses. What types of barriers/screening between industrial and residential uses are allowed? Cyclone fencing? Concrete wall? Trees along the wall? A rotating park? Maintain row of trees that run east-west along the edge of the golf course. Consider integrating a bike/pedestrian trail into the landscaping setback along the southern perimeter to make better use of the space and keep it active.	Increased buffering and screening requirements are currently being looked at for development at the edge of the Beavercreek Road Concept Plan boundary when abutting residential uses. Requiring a tapering of density at the edge of a project is often more difficult and initially envisioned through a clear and objective code process and still meet the other required city goals of block length, lot size and street connectivity. The Concept plan zones identify a general tapering of densities.
Concern about compatibility of R-2 development along the BRCP southern boundary. Especially in regards to natural resources/stormwater/flooding.	In response to comments during the public process, the revised June Zoning Map slightly shifted the multi family portions near the south border. The total number of projected housing units remain the same.

Cottage Industries. New homes in BRCP area might be too small to incorporate square footage for cottage industries, like a large shop. Concerns about noise impacts from more industrial-type uses, such as woodworking. Consider whether potential impacts from cottage industries, like on-street parking and traffic are compatible with residential uses. Cottage industry uses might be better located in mixed-use and industrial areas.	Through the public engagement process, we heard from many folks that were concerned about allowing additional uses in the home occupation code for the Beavercreek Concept Plan Area, though there was some support for the concept. The Concept Plan calls for allowing job creation in residential zones. During the 2016 re-adoption of the Concept Plan, the City Commission made a finding that the existing city-wide home occupation code allows for a breath of opportunities for people to start starter businesses in their residences. As part of the hearings process, staff will look for additional guidance from the Planning and City commission on this topic.
Maintain access to Old Acres Lane for existing residents to use. Access should not be shared with BRCP area development.	Old Acre Road is a private driveway that can restrict public access- No part of the Concept Plan area will connect to Old Acres Road.
Mixed Use Center	
The MUC should consist of small, easily accessible shops with residential on the 2nd and 3rd floors if the market allows it.	The MUC zone allows for this type of use, but also allows properties to be developed as exclusively residential or commercial. The project team is currently looking at the balance of how much minimum commercial or residential to require for these area to ensure that the code does not over or underegulate the vision.
Smaller scale development. Do not require retail. Permit ground floor residential.	The MUC zone allows for this type of use, but also allows properties to be developed as exclusively residential or commercial. The project team is currently looking at the balance of how much minimum commercial or residential to require for these area to ensure that the code does not over or underegulate the vision.
Street design in the MUC should use landscaping, lighting, to ensure a pleasant pedestrian environment.	The project team is looking at what type of dimensional standards and enhanced landscape requirements, beyond what is already required city-wide, will be needed to ensure a pedestrian-friendly, walkable commercial node. The concept plan identifies some street design.
10,000 square foot limit seems appropriate for anchor retail spaces or stand-alone buildings. Square footage limit should be large enough to accommodate a non-big box grocery store (Trader Joes, Zupans). Consider a 6,000 to 8,000 square foot range for the other tenant spaces.	The city has generally not prescribed that level of detail between varying permitted uses. The proposed code looks at minimizing the size of each building to ensure that the massing of the neighborhood commercial area is complementary to and compatibly with the neighboring residential uses. The NC zones proposes the following language: All uses permitted per OCMC 17.24.020.A and B, including grocery stores, are limited to a maximum footprint for a standalone building with a single store or multiple buildings with the same business not to exceed ten thousand square feet, unless otherwise restricted in this chapter.
Upper-level residential should be allowed. In addition to traditional apartments, incorporate affordable units for underserved populations (transitional housing, micro housing/dormitory housing.)	Upper level residential is allowed in the MUE and NC Zones when coupled with commerical development.
Provide parking lots near the Main Street area to support local businesses. Ensure parking for a grocery store doesn't occupy all available parking.	Development applications will be required to provide for their own off-street parking per their specific use. The Plan and city encourges shared lots for ease of acess but each use must be accounted for.
People will not walk or take shuttles from the Industrial area to the Main Street area if there is ample parking.	As part of the public engagement process, staff and the project consultant team looked at the possibility of moving the Main Street area to the Meyers Road intersection to bringing it closer to employment locations. However, there was a pre-existing multi-family project located at the intersection of Meyers Road and Beavercreek Road that is currently in the Building Permit review process. This limited the ability to move the Main Street area of the Concept Plan.
Industrial	
Uses in the Industrial area should minimize impacts on adjacent residential areas through uses that are quiet, clean, and minimize pollution. There should be adequate buffers and transitions to other zones.	The project team is looking at ensuring uses with outside components be required to obtain a conditional use permit or be limited in scope and ensure adequate landscape buffering from abutting residential uses.
Focusing residential and mixed-use zoning south of Loder Rd and employment/business zoning north of Loder. There are many physical barriers to development south of Loder Road.	We have heard from some property owners south of Loder Road that this a concern coupled with the location of the existing lot lines and proposed street locations and natural features. There may be an opportunity to slightly tweak the proposed zoning map to address these concerns, but the final proposed zoning map will need to show compliance with the goals of the Concept Plan and projected housing and job targets. We are working with the owners on this issue and will provide more updates at the April 9, 2019 public meeting.
Avoid allowing marijuana-related activity in the industrial area, due to the nearby schools and family housing.	This project does not anticipate revising the existing city-wide marijuana regulation, which can be found at the following link https://www.orcity.org/planning/marijuana-regulation-oregon-city.
Can the areas under the power lines be developed? How many acres of the total are subject to power line restrictions?	No new buildings can be contructed under the powerlines. Outdoor storage, predestrian acessways and parking are all allowed under the easments.
Do not make the area comfortable for transients. Specifically, how to address area behind golf course to back of Thayer and Loder roads.	This is not a concern that can be addressed through the zoning process. Oregon City has, however, created a homeless liaison officer position. This position works with residents, homeowners, and business
What are the goals and restrictions for targeting certain industries? Define targeted jobs clearly; what type of business and give examples. Do not restrict industries yet. Target jobs to high school kids transitioning to the work force.	While the Beavercreek Road Concept Plan envisions green or green technology type of businesses as the optimal tenant, the zoning code is not really the tool to regulate specific sectors of businesses or number of employees. Planning staff and the consultant team worked to create general zoning designation that are consistent with existing city-wide zoning use designations. If the city wants to encourage green
Do not place size limitations. Focus on design. Use clear, easy-to-find and understand design standards.	The project team is looking at proposing a code that touches on uses, sizes and some design aspects. Our goal is to not underregulate nor overregulate the product. Please stay involved and let us know if you think the proposed zoning code amendments achieved this goal or if it should be further amended.
25% is pretty restrictive for what can be stored outside.	One of the major goals of the Concept Plan is to bring jobs to Oregon City. Large outdoor storage areas (not parking lots) can greatly reduce the jobs/acre projections. Utilizing 25% of the building square footage as a ratio for outdoor storage seemed to be a reasonable compromise.
Is trucking allowed? How will freight to the industrial area be accommodated?	Freight needs, freight hours and freight turning radii needs will be included in the final street designs and
Is live/work space allowable in the Industrial area?	
Where will employees park?	Development applications will be required to provide for their own off-street parking per their specific use. The Plan and city encourges shared lots for ease of acess but each use must be accounted for.
Economic Development	
Commercial uses, including professional services and services that allow workers and students to meet their daily needs.	The existing MUE and MUC zones allow professional services.
Desire for small businesses/employment and building footprints, but balance with attracting larger employers. Target local businesses in mixed use area, but anchor stores should be national chains that people are familiar with and that are well-received (Chipotle, Trader Joes, etc.)	We have heard a need for a mix of sizing of commercial and industrial uses. Some of these goals can be minimally achieved by the zoning code. Others, are more aligned with economic development goals and programs that City Commission may employ to work collaboratively with property owners to achieve this mix.

Proactive and effective economic development to ensure vibrant economic activity and growth within the BRCP.	While this is a zoning code amendments process, any comments that relate to a need for larger city involvement in the development of the Concept Plan area will be forwarded to the Planning and City Commission through this comment matrix and any public comments that arise through the public hearing process later this summer. The Economic Development department has been working on a nearby Beavercreek Employment Area with a variety of stakeholders.
Land Use and Infrastructure	
What role do residents have in approving the Concept Plan or future development?	The Concept Plan was adopted as an ancillary document to the city's comprehensive plan by the City Commission at a Public Hearing in 2008 and readopted through a public hearing in 2016. These Beavercreek Road code amendments will need to show consistency with the adopted Concept Plan and will be adopted through a noticed public hearing before the Planning and City Commissions later this year. Once adopted, all new development will be processed through the city's land use process depending on the type of development requested: https://library.municode.com/or/oregon_city/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.50ADPR_17.50.030SUDEKIPR
Use a fast permitting process, ensure infrastructure is readily available to serve development areas, and barriers to development are minimized.	The design team is considering which process development is subject to and the Public Works and Economic Development departments will be working together to consider larger infrastructure. Generally developers installs infrastructure needed to serve their development.
Analyze electricity capacity to serve new development since existing neighborhoods in the area already experience "brown-outs".	Coordination with private utilities occurs during the private development review process. Private utility providers such as power, phone and cable have been sent notice of this application.
Zone designations should be separated by streets, not individual property lines. What do the property owners of those properties think?	Street location provide general direction and are finalized at time of development. Staff tried to find a balance of utilitizing exisiting proeprty lines and antipcated road locations.
The East Mixed Use Neighborhood should be more of a square rather than strung out along Beavercreek Road itself. Move it further north and center it around the mixed-use areas including Main Street and the industrial	While that sounds like an intriguing idea, staff felt that it was too divergent from the adopted plan. Staff's direction was to implement the adopted plan and only amend as needed to implement the intent of the
Education	
The anticipated extension of Clackamas Community College provides significant opportunity for professional training and economic development.	We agree and encourage all property owners to work with Clackamas Community College and the city's Economic Development Department to look for opportunities to partner to help transition students to full time work. The uses allowed in the area will take this into consideration.
Ensure proper siting and ease of permitting for future schools.	In the 2008 Concept Plan process, the Oregon City School District determined that they did not need additional land within the concept plan boundaries. They do have a parcel of land located just south of the concept plan boundary, near Old Acres Road but is not being considered for construction in the short term. Development in the concept plan area will provide an opportunity for future connections with the school property.
Miscellaneous	
Be clear about what is meant by "conceptual" in terms of roadways and district boundaries. Consider changing it from a "plan" to a "guide".	Final roadway design will be addressed at the development application stage and will need to be consistent with the concept plan maps or provide an alternate design that meets or exceeds the intent of the adopted street map. The design team will make an effort to set the correct expectations.
The plan should include a mix of uses and amenities - they would be helpful to reduce traffic and in case of disaster.	We have heard a need for a mix of commercial uses. Some of these goals can be achieved by the zoning code. Others, are more aligned with economic development goals and programs that City Commission may employ to work collaboratively with property owners to achieve this mix.
Like Lake Oswego development.	We assume that this comment translates to "make it look nice". Zoning code and design standards can provide a template for how a private development could look. However, too detailed of standards can stifle creativity and sensitivity to a specific private parcel's market needs. The project team is trying to create a balance of not under or over-regulating the urban layout of the concept plan areas. We are identifying the major design goals of the Concept Plan and are trying to create code that requires these elements. As the draft code is released this spring and through the public hearing process, please let us know if this balance was achieved, or if you think there should be a different balance.
How to limit connections to a private street to the south.	Old Acres Road, located at the southern boundary of the Concept Plan, is a private road and new development in the Concept Plan area will not be able to utilize this connection unless previously allowed by the private property owners.
Manage density.	The density outlined in the Concept Plan is regulated by Title 11 which governs the Urban Growth Boundary process. This code ensures cities efficiently use land brought into the Urban Growth Boundary, which reduces the need to expand the growth boundary earlier than predicted. The density of dwelling units in the approved Beavercreek Road Concept Plan has been set to fall between 1,000 and 1,600 dwelling units. A dwelling unit is defined as one single-family house, a townhouse unit, or an apartment unit in a multi-family building. It does not differentiate between the number of bedrooms. Development of these units will be completed over time through the subdivision (single-family or townhomes) or Site Plan and Design Review process (multi-family) based on the market and property owner direction. The goal of the code amendment process is to adopt zoning codes that can ensure that the area develops dwelling units over time that fall within the adopted 1,200-1,600 threshold. The placement of the densities and design will help create a community people like while minimizing
Include art.	Public art is not a goal or requirement of the concept plan, and therefore does to align with the aims of this zoning amendments project (provide zoning code amendments to allow private development to build within the Concept Plan boundary). However, as development moves forward, there may be opportunities to partner with local art organizations such as the Clackamas County Art Alliance https://clackamasartsalliance.org/ for public art in city open spaces or in private development.