



# City of Oregon City

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

## Meeting Agenda Planning Commission

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Monday, May 13, 2019

7:00 PM

Commission Chambers

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**1. Call To Order**

**2. Presentation**

**2a. Presentation: Beaver Creek Road Concept Plan Project- Zoning and Code Amendments**

**Attachments:** [Commission Report](#)

[Project Website](#)

[April 9, 2019 Presentation](#)

[April 9, 2019 Draft Zoning Map](#)

[April 9, 2019 Overlay Districts Map](#)

[April 9, 2019 Code Memo](#)

**2b. Grant for Comprehensive Plan Update**

**3. Communications**

**4. Adjournment**

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*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](http://oregon-city.legistar.com)).*

*Video Streaming & Broadcasts: The meeting is streamed live on Oregon City's Web site at [www.orcity.org](http://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

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Oregon City, OR 97045  
503-657-0891

## Staff Report

File Number: PC 19-045

**Agenda Date:** 5/13/2019

**Status:** Agenda Ready

**To:** Planning Commission

**Agenda #:** 2a.

**From:** Christina Robertson-Gardiner

**File Type:** Planning Item

### **SUBJECT:**

Presentation: Beavercreek Road Concept Plan Project- Zoning and Code Amendments

### **RECOMMENDED ACTION (Motion):**

No action is need at this time.

### **BACKGROUND:**

The purpose of this project is to update the Comprehensive Plan Map, Oregon City Zoning Map and Oregon City Municipal Code (OCMC) to allow planned housing and mixed-use development to occur within the Beavercreek Road Concept Plan area. Development of each newly zoned parcel will be based on market conditions which could take many years to build out fully.

The Plan envisions a diverse mix of uses woven together by open space, trails, a network of green streets, and sustainable development practices, including:

- \*An employment campus north of Loder Road
- \*Mixed-use districts along Beavercreek Road
- \*Two mixed-use residential neighborhoods
- \*1,000-1,600 new housing units and up to 5,000 jobs at complete build-out.

Most of the 453-acre site along Beavercreek Road was added to the regional urban growth boundary by Metro in 2002 and 2004, and the city adopted the Beavercreek Road Concept Plan in 2008. The City's approval was appealed to the Land Use Board of Appeals (LUBA), which remanded the decision back to the City to address an issue associated with industrial land designations which included a separate process by Metro. After resolution, the City Commission voted unanimously to re-adopt the Concept Plan in March 2016. The readoption decision was again appealed to LUBA and subsequently to the Court of Appeals whom both upheld the City's approval of the Beavercreek Road Concept Plan. As of March 2017, the city was able to move forward with plan implementation.

While the plan was formally adopted, it does not include all the tools necessary to implement the vision of the plan such as the assignment of Comprehensive Plan map or zoning designations to properties or changes to uses or design standards in the Oregon City Municipal Code (OCMC) to implement the requirements of the plan.

There are several opportunities for the public to participate in the Beavercreek Road Code Update process. Two public events on Tuesday, January 29th and Tuesday, April 9th provided residents with opportunities to provide comments on draft products which were also available through online surveys. Public work sessions are scheduled with the Planning Commission (May 13th), City Commission (June 11th ) and an Open House is scheduled for June 10th at City Hall

The project website can be found at [www.orcity.org/Beavercreekroadconceptplan](http://www.orcity.org/Beavercreekroadconceptplan). Interested parties can sign up for email updates on the contact page of the project website to be notified in advance of the public meetings and the release of draft documents.

We will share what we have heard to date from public comments, meeting with various organizations and our consultant team. Public Hearings will begin in mid- to late summer.

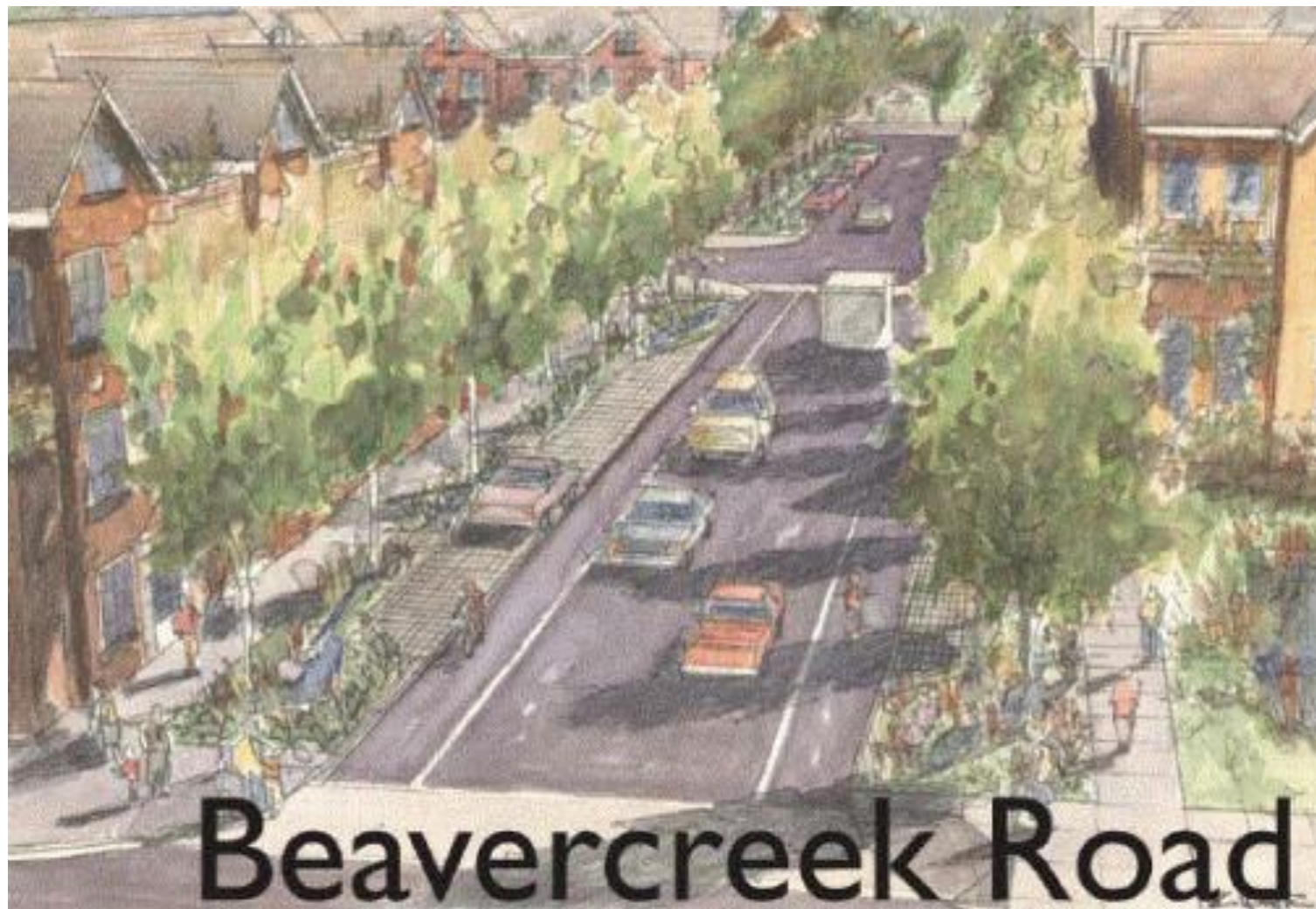
**BUDGET IMPACT:**

Amount:

FY(s):

Funding Source:





# Beaver Creek Road

**Concept Plan Implementation – Map and Code Amendments**

**April 9, 2019**

# Agenda

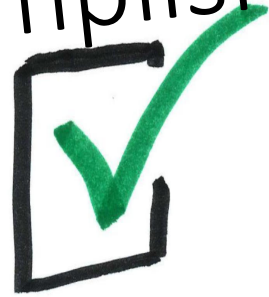
- Project Overview – Presentation
- BRCP Code Concepts – Presentation
- BRCP Code Concepts – Small Group Break-out Discussions
- Reports – Full Group
- Next Steps

# Let's Have A Good Meeting!

Community members are encouraged to participate in the BRCP Zoning and Code Amendment process. Please keep the following guidelines in mind to ensure an productive meeting:

- Be respectful.
- During break-out discussions:
  - Ask questions. Provide suggestions. Voice concerns.
  - One speaker at a time. Be succinct. Share time with others.
  - Keep comments constructive. Personal attacks are not tolerated.

# What We Have Accomplished Since



- **Public feedback**

- Meeting #1 January 2019
- Online comment form
- Comment tracker- online

- **Reviewed contents of adopted plan & made initial**

- Identified major elements of each plan area
- Looked at existing zoning and development code to see vision
- If not- recommended revisions in memo form
- Provided initial attempt at creating a proposed zoning map
- feedback- topography- lot lines constraints not part of plan
- Currently scoping transportation, infrastructure and recreation based on public comments and plan content

# What Happens After Tonight's Meeting ?

## **Public Engagement**

- Continue public comment tracker, incorporate tonight's comments
- Hold Planning and City Commission worksessions on May 13<sup>th</sup> and June 11<sup>th</sup>
- Attend Open House- June 10, 2019 at City Hall

## **Products**

- Draft Zoning and Comprehensive Plan Maps
- Draft redline code amendments
- Technical memos- transportation, infrastructure, real estate/economic

## **Public Hearings**

Notice of July/August public hearing dates will be sent out in mid-June.

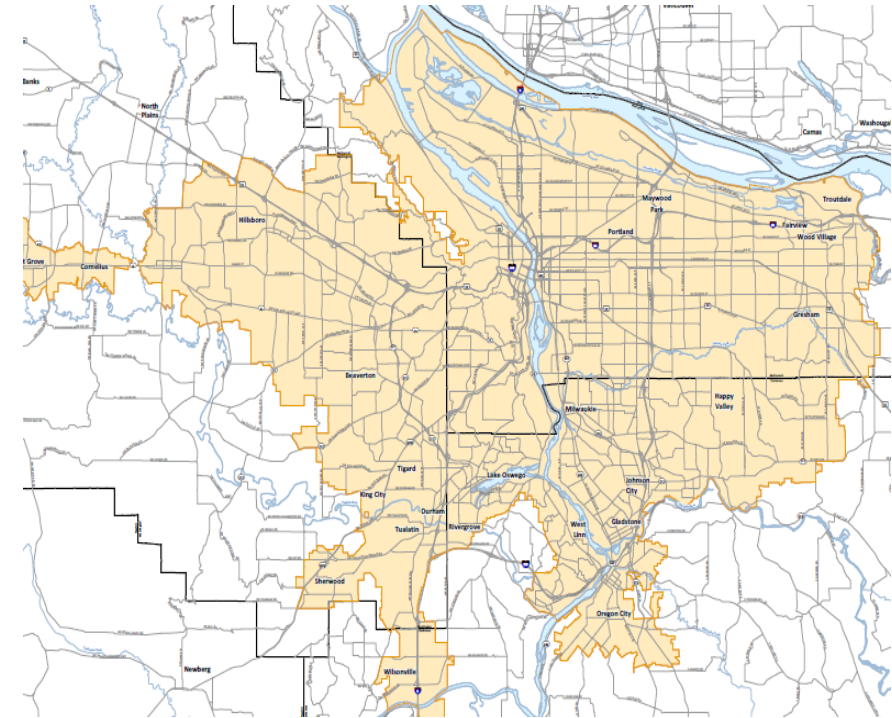


# Beavercreek Road Concept Plan

## **Plan Overview**

# Urban Growth Boundary (UGB)

- Land inside the UGB supports urban services such as roads, water and sewer systems, parks, schools and fire and police protection.
- A tool to protect farms and forests from urban sprawl and promote the efficient use of land
- Every six years, Metro prepares a forecast of population and employment growth for the region for the next 20 years and, if necessary, adjusts the boundary to meet the needs of growth forecast for that 20-year period.
- Beaver Creek Road Concept Plan was brought into the UGB in 2002.





# Big Picture

The 2008 Beavercreek Road Concept Plan envisions a complete community with a diverse mix of uses woven together by open space, trails, a network of green streets, and sustainable development practices, including:

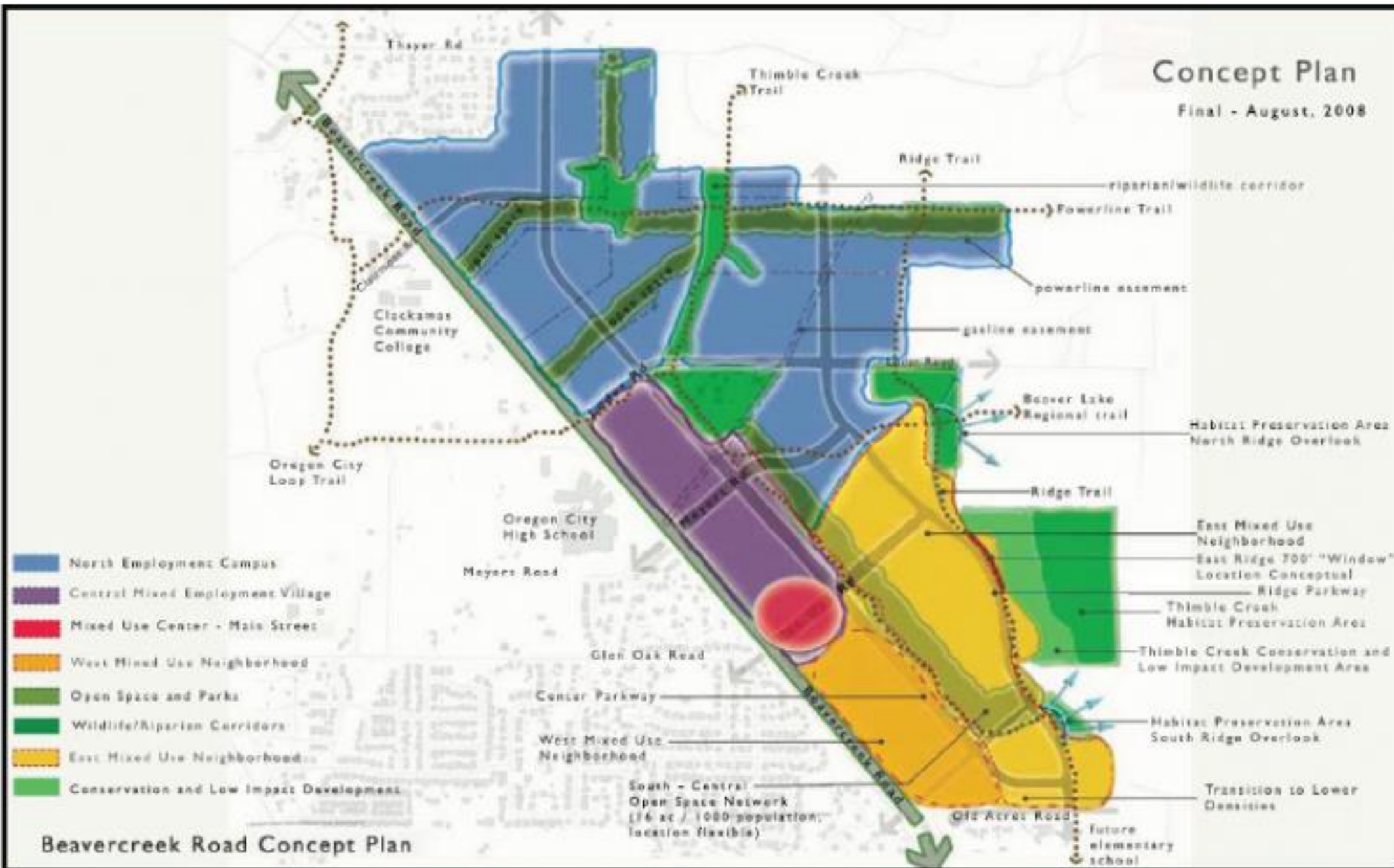
- An employment campus north of Loder Road.
- Mixed-use districts along Beavercreek Road.
- Two mixed-use residential neighborhoods.
- 1,000-1,600 new housing units and up to 5,000 jobs at complete build-out.

**To honor the process to date, the vision and content of the Beavercreek Road Concept Plan is not anticipated to be reopened as part of this process.**



# Concept Plan

Final - August, 2008



# How You Can Stay Involved

- Website: <https://www.orcity.org/Beavercreekroadconceptplan> - Contact Page
- Community Conversations
- Trail News - Spring
- Social Media

## Public Meetings

Monday, May 13- 7:00PM – Planning Commission Work Session

Monday, June 10- 5-7:00PM – Open House

Tuesday, June 11- 5:00PM – City Commission Work Session

*All events at City Hall Commission Chambers*

| 2018       |     | 2019 |                            |     |     |               |      |          |     |
|------------|-----|------|----------------------------|-----|-----|---------------|------|----------|-----|
| Nov        | Dec | Jan  | Feb                        | Mar | Apr | May           | June | July     | Aug |
|            |     | ★    |                            |     | ★   | ■             | ■ ★  | ■        | ■   |
| Code Audit |     |      | Draft Code and Map Updates |     |     | Work Sessions |      | Hearings |     |

★ Public Outreach Opportunity

■ Planning Commission and City Commission

# Beavercreek Road Concept Plan

**Implementation: Map & Code Concepts**

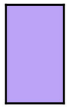
# Hybrid Implementation Concept



# Implementing Designations and Zones

| <i><b>Subdistrict</b></i>          | <i><b>Designation</b></i>        | <i><b>Zone</b></i>               |
|------------------------------------|----------------------------------|----------------------------------|
| <b>North Employment Campus</b>     | Industrial (I)                   | Campus Institutional (CI)        |
| <b>Mixed Employment Village</b>    | Mixed-Use Corridor (MUC)         | Mixed-Use Corridor (MUC-2)       |
| <b>Main Street</b>                 | Mixed-Use Corridor (MUC)         | Neighborhood Commercial (NC)     |
| <b>West Mixed-Use Neighborhood</b> | High-Density Residential (HDR)   | High-Density Residential (R-2)   |
| <b>East Mixed-Use Neighborhood</b> | Medium-Density Residential (MDR) | Medium-Density Residential (R-5) |

ntation



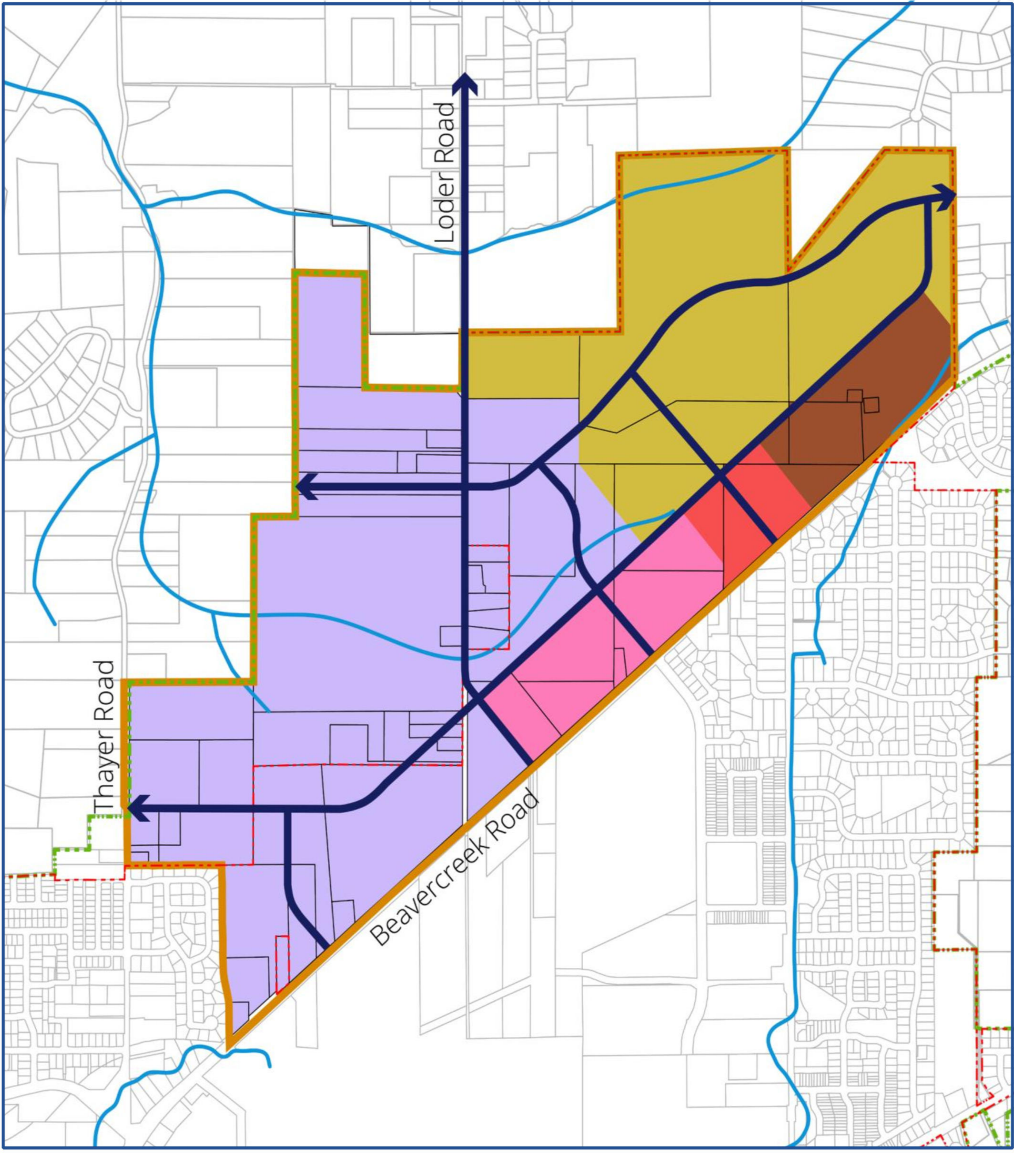
ional (CI)



loyment (MUC-2)



Commercial (NC)



# Mapping Metrics

- Capacity for 1,000 dwelling units and 5,000 jobs

| <i><b>Subdistrict</b></i>              | <i><b>Size (gross acres)</b></i> |
|--|----------------------------------|
| <b>North Employment Campus</b>         | 149                              |
| <b>Mixed Employment Village</b>        | 26                               |
| <b>Main Street</b>                     | 10                               |
| <b>West Mixed-Use Neighborhood</b>     | 22                               |
| <b>East Mixed-Use Neighborhood</b>     | 77                               |
| <i><b>Parks, Open Space, Roads</b></i> | 169                              |



# North Employment Campus

- Broad use categories:
  - Light industrial, office, research & development
  - Not specific to “green industries”
- Nuisance limitations
- Site & building design:
  - 25% maximum outdoor storage
  - No minimum or maximum site size
  - 15% open space
  - 25-ft buffer to residential uses





# North Employment Campus: Discussion

- *Are there additional uses to permit—or prohibit—in the subdistrict to support the employment goals?*
- *To keep outdoor storage an accessory use rather than a primary use, is 25% the right maximum?*
- *What buffering tools would help support the transition from industrial to residential, beyond the 25-foot setback?*

# Mixed Employment Village: Uses

- Hybrid employment and mixed-use office, commercial and residential
  - Allow light manufacturing: making/assembling parts within a building
  - Upper-story residential, excluding existing development
  - Size limitations for commercial



# Mixed Employment Village: Form

- Minimum height: 25 feet
- Maximum height: 60 feet
  - Add incentive for upper story residential
- Increase FAR to 0.35 minimum
- Existing site and building design standards



# Mixed Use: Discussion

- *What refinements should be added to proposed uses, including light manufacturing, limited residential, and retail commercial with size limitations?*



# Main Street

- Key location: Four blocks
- Retail and services allowed, up to 10,000 SF
- Residential allowed for upper stories or rear lots



# Main Street: Form

- Height: 25-ft minimum, 45-ft max
  - Incentive for upper story residential
- Minimum 0.5 FAR
- Streetscapes & pedestrian amenities
- Reduce impacts of parking:
  - 50% reduction to spaces required
  - Prohibit along Glen Oak frontage
  - Consider alleys





# Main Street: Discussion

- *Are the proposed upper story and rear lot limitations appropriate to support residential uses while minimizing their presence along the key block frontages?*
- *Are the 10,000 SF size restrictions for commercial uses appropriate given opportunities for larger stores elsewhere in the district?*
- *Are there any additional design pieces that you feel are important to create the Main Street vision?*

- Variety of residential types
- Limited commercial uses
- One unit per 2,000 SF
  - Consider density bonuses
- Design standards for all residential types
- Affordability approaches
- Cottage Industry as Home Occupation





# West Mixed-Use Neighborhood: Discussion

- *Should density bonuses or increases be added, and if so, for what types of development?*

# East Mixed-Use Neighborhood

- Mix of residential types
- Opportunities for variety of sizes
  - Lot sizes 5,000 SF to 2,500 SF per unit
- Design standards for each type
  - Subdistrict design standards not recommended at this time
- Alley network under consideration
- Cottage Industry as Home Occupation



# East Mixed Use Neighborhood: Transition

- Proposed: 25-ft rear lot setbacks with 5-ft landscaping, single-family detached uses only

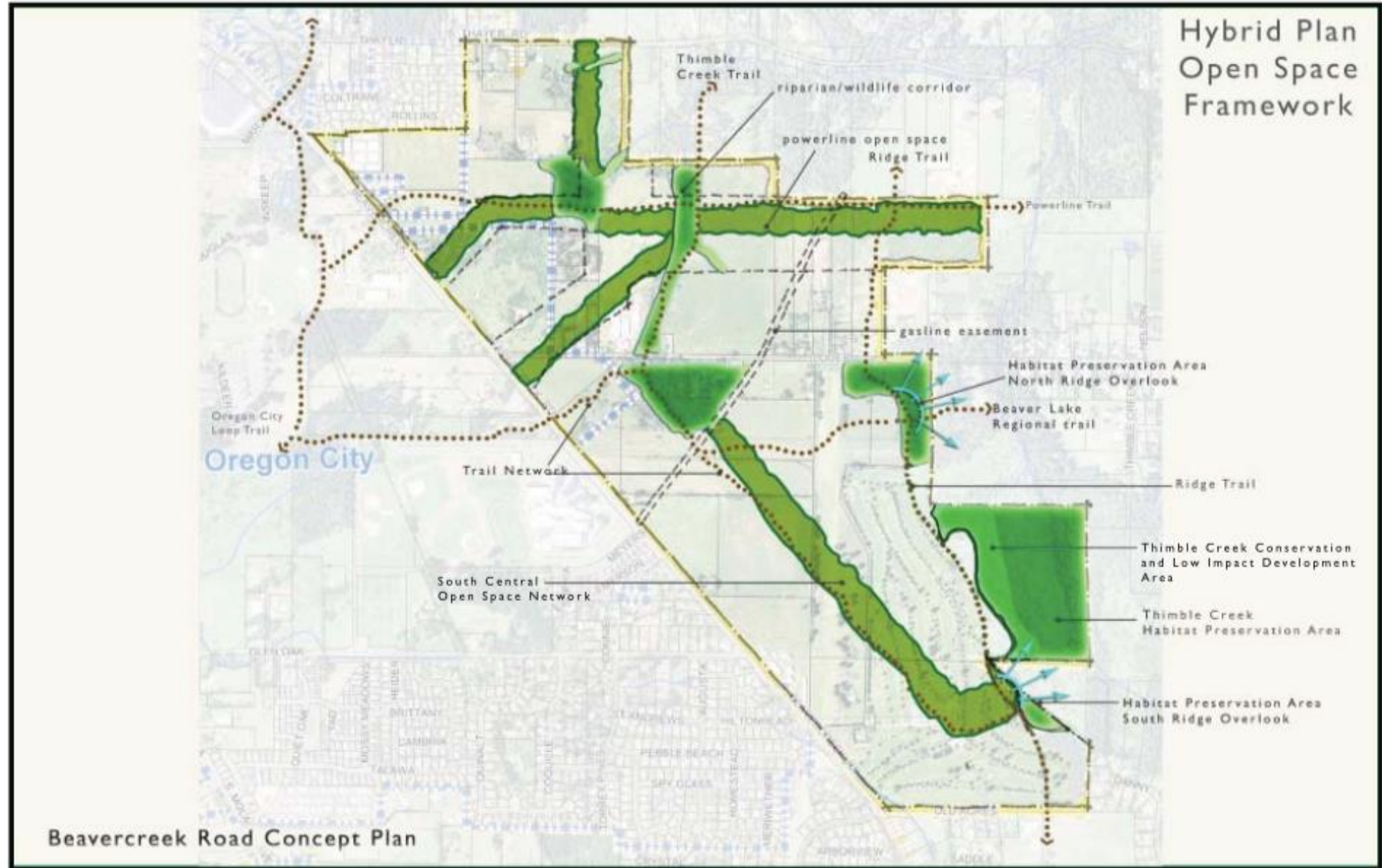


# East Mixed-Use Neighborhood: Discussion

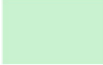



- *Is an alley network desired for this neighborhood, or should it be optional?*
- *Does the proposed transition balance development goals of the subdistrict with protection of adjoining properties?  
Would additional tools like higher minimum lot sizes, walls or protecting of existing vegetation help?*

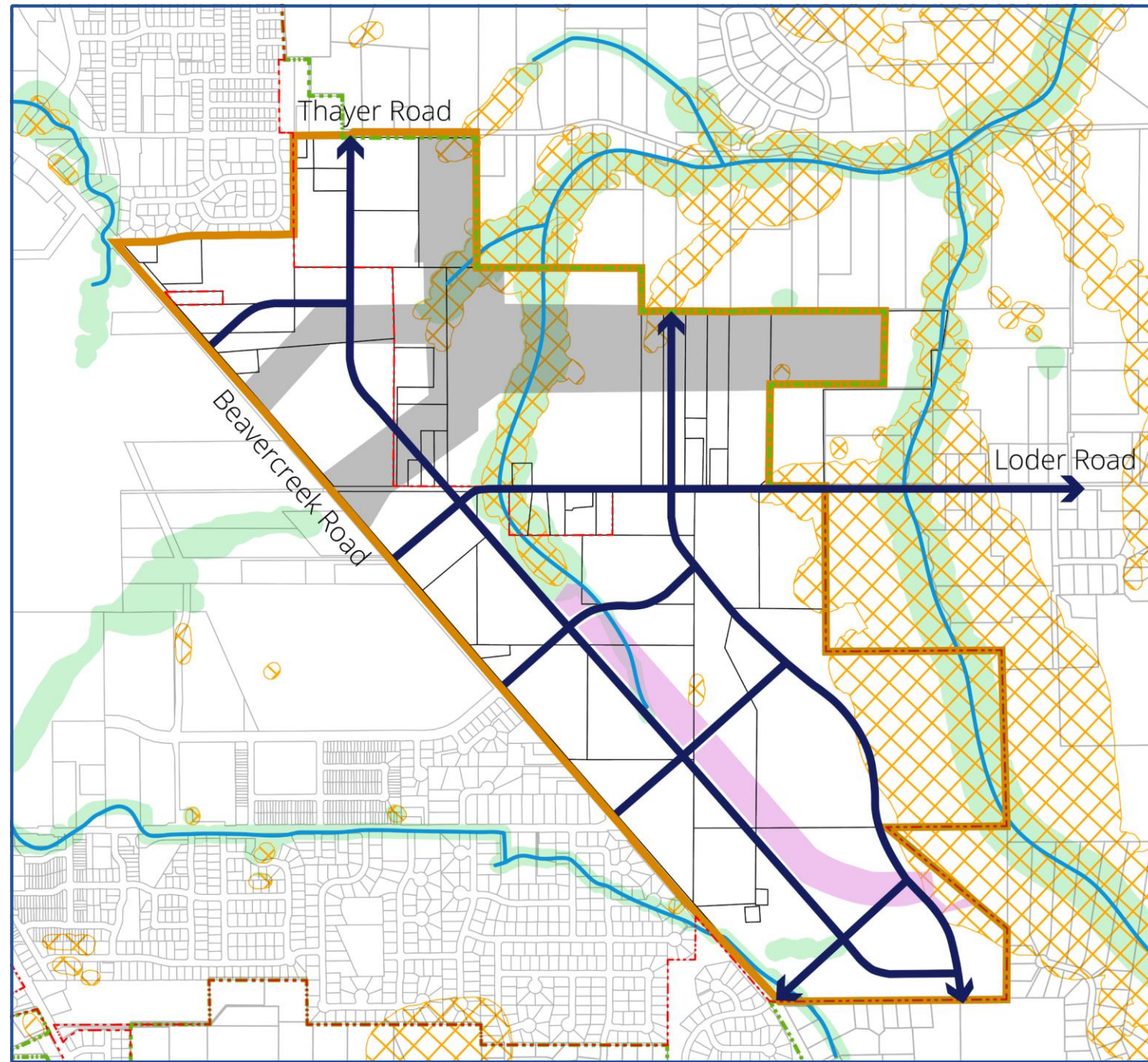


# Parks, Trails and Open Space



# Parks & Open Space Mapping

-  Natural Resources Overlay District (NROD)
-  Geologic Hazard Overlay District (GHOD)
-  South-Central Open Space Network
-  Powerline Corridor





# Expert Analysis to Inform Refinements

- Transportation Capacity Analysis
  - Ensure traffic model uses background county and region-wide traffic assumptions
  - Opportunities and constraints of moving to a 5 lane Beavercreek Road Design
  - Intersection design along Beavercreek Road (signals vs roundabouts)
  - Analysis of Holly Lane connection in the regional model- how would the model change if Holly Lane connection was not built- or severely delayed?
- Utility Capacity Analysis- Compliance with Adopted Master Plans
  - Water Master Plan– How does it relate to Clackamas River Water (CRW) Master Plan and Capital improvement Projects (CIP) or OC's CIP list- is anything missing?
  - Sanitary Sewer- Master Plan
  - Stormwater Master Plan (existing and newly proposed)
- Economic Development Analysis
  - Do the proposed code amendments create a framework to provide the required 5,000 jobs and 1,000-1,600 dwelling units?
  - Do they respond to current market or future market trends?



*Welcome*

TO

BEAVERCREEK ROAD  
EAST CAUFIELD  
THIMBLE CREEK  
???



# Discussion Format

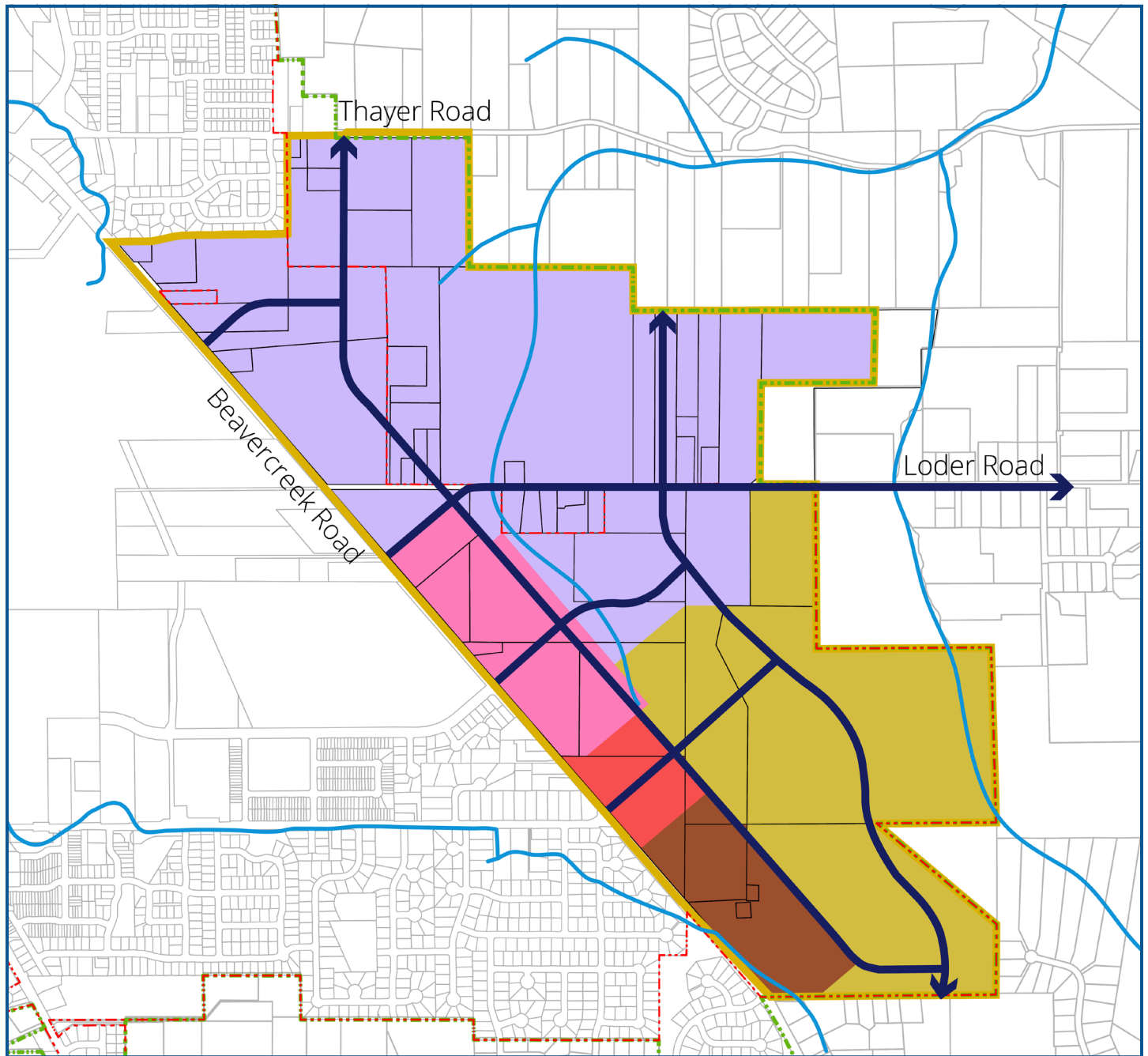
- Break-out Discussion Groups
  - Four topics
  - Two 15-minute sessions
- Summary Reports

# Project Next Steps

- Continue to inform and discuss:
  - Project website: <https://www.orcity.org/Beavercreekconceptplan>
  - Contact Christina Robertson-Gardiner at [crobertson@orcitey.org](mailto:crobertson@orcitey.org)
- Engagement opportunities:
  - Next open house date: Monday, June 10 at 7PM – City Hall
  - Work sessions: May 13 at 7PM – Planning Commission, June 11 at 5PM – City Commission
  - Meeting questions posted on project website for additional comment

# Beavercreek Road Concept Plan

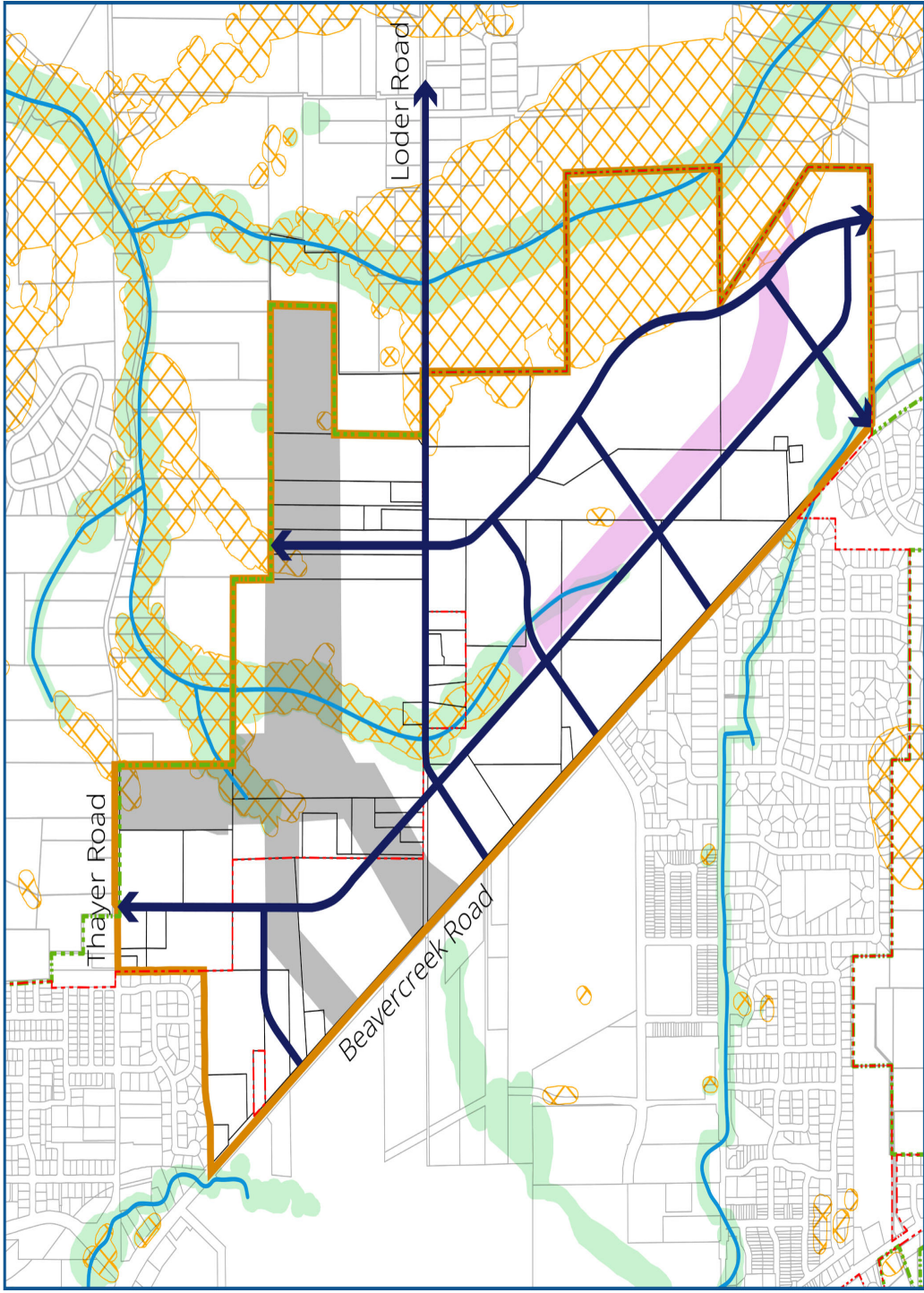
## Land Use Implementation Map



## Legend



| BRCP Subdistrict            | Comp Plan Designation      | Zoning Designation         |                         |
|-----------------------------|----------------------------|----------------------------|-------------------------|
| East Mixed Use Neighborhood | High Density Residential   | High Density Residential   | R-2                     |
| West 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                 |



## Legend



Natural Resources Overlay District (NROD)

Geologic Hazard Overlay District (GHOD)

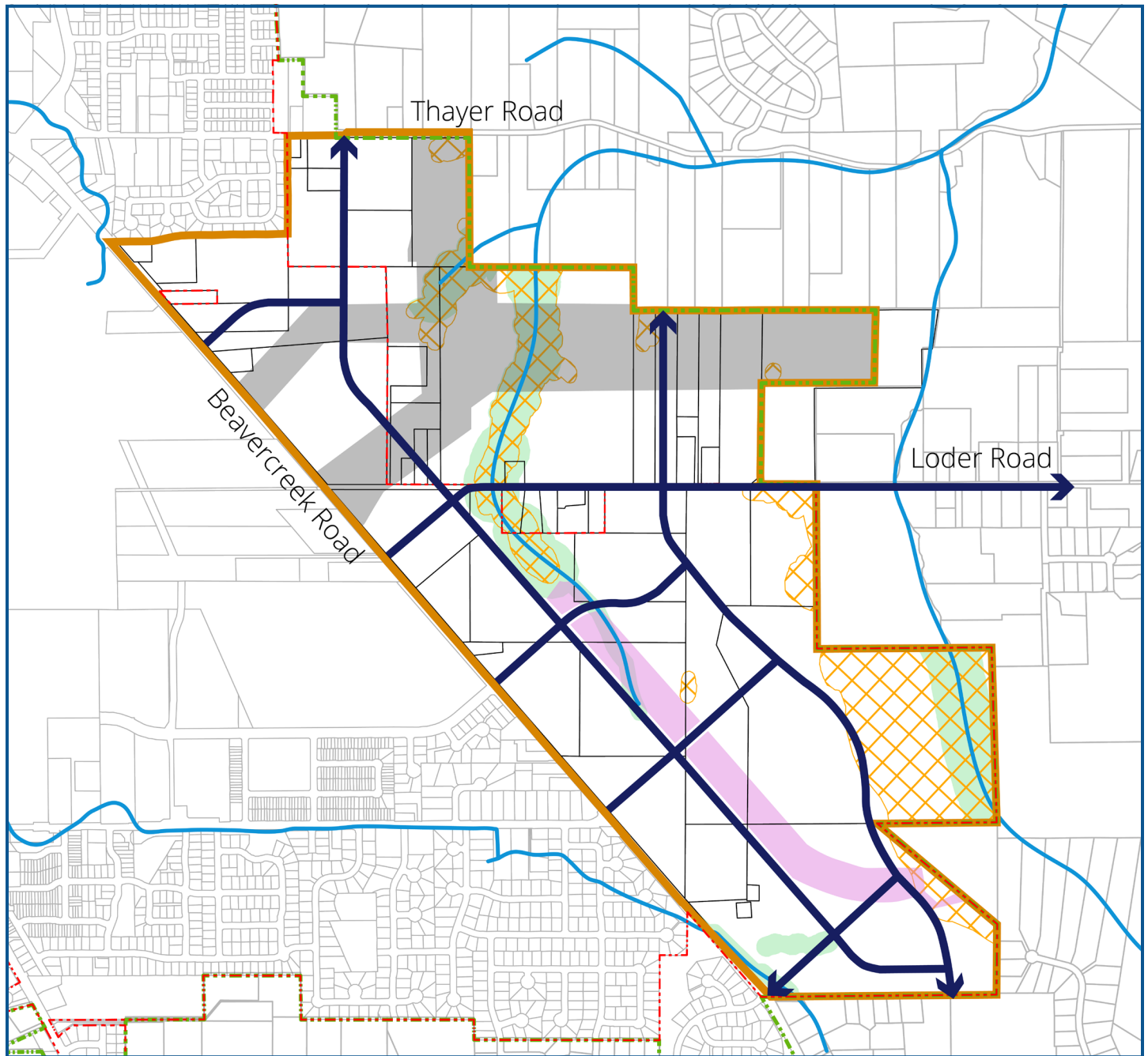
BRCP Boundary

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





# MEMO

**Date:** April 9, 2019  
**To:** Laura Terway & Christina Robertson-Gardiner, City of Oregon City  
**CC:** Steve Faust, 3J Consulting  
**From:** Elizabeth Decker, JET Planning  
**Subject:** Beaver Creek Road Concept Plan Implementing Zoning Code Concepts

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**Overview:** Oregon City aims to further implementation of the Beaver Creek 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 Beaver Creek Road generally between Thayer Road and Old Acres Lane. Development of the 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. Mapping and development code standards for the 453-acre concept plan area will be rooted in existing zoning district standards, with amendments as needed to fulfill the adopted plan goals.

The goal of this memo is to identify the major elements of the Beaver Creek Road Concept Plan and provide recommendation for aspects that can be implemented through zoning code amendments and mapping.

**Zoning Implementation:** The BRCP area is intended to provide for a mix of uses including an employment campus north of Loder Road, mixed-use districts along Beaver Creek Road, and two mixed-use neighborhoods woven together by open space, trails, a network of green streets, and sustainable development practices.

The overall strategy for implementing code is to use existing zones, rather than create a Beaver Creek 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; these zones have not been applied anywhere in the existing city, meaning that there is greater flexibility to tailor the zoning provisions specifically for this and other concept plan areas. Where needed, provisions specific to the concept plan area will be added to the base zone chapters.

Existing city zoning generally lines up with the desired land use concepts within the plan and will facilitate implementation with minor amendments. Proposed comprehensive plan designations and zoning districts include:

| <i>Subdistrict</i>                         | <i>Comprehensive plan designation</i> | <i>Zone</i>  |
|--|---------------------------------------|--|
| North Employment Campus                    | Industrial (I)                        | Campus Institutional (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)<br>Geological Hazard Overlay District (GHOD) |

This memo includes descriptions of code concepts and specific code sections that should be amended to implement the land use aspects of the plan vision. Note that the zoning code is currently in the middle of a significant update, with final direction from City Commission expected in May; the majority of the updates focus on residential zones, but there are changes that impact nearly every chapter of the code. Though the final amendments are still being debated by City Commission, it is assumed they will be substantially adopted this spring, and that code amendments for the Beavercreek Road area should be developed relative to the proposed code rather than the existing code. The code references included here are to the existing code, unless otherwise noted.

Finally, this memo limits its focus to the key land use elements of the Beavercreek Road Concept Plan subdistricts that could be addressed through zoning and development code provisions. Additional plan and subdistrict elements can be addressed through complementary implementation projects, such as infrastructure standards and master planning, economic development strategies and incentives, and relationship-building between district institutions, landowners, and future residents and businesses.

## **North Employment Campus**

### ***Key Elements of the Concept Plan***

- Tech-flex and campus industrial uses that support living-wage jobs, including clean industries, offices serving industrial needs, light industrial uses, research and development, and large corporate headquarters.
- Consistency with Metro Title 4 regulations limiting size of retail and service uses in industrial employment areas
- 1-2 story employment buildings
- Pedestrian friendly site and building design and green development practices
- Maintain powerline open space and multi-use areas, including access easements and open space uses

### ***Code Analysis***

The Campus Industrial (CI) zone intended to implement this concept largely achieves the goals of the subdistrict. The permitted uses in the CI zone include a range of tech-flex and clean industrial employment uses similar to those listed in the Plan. (OCMC 17.37.020.) Explicit allowance for offices accessory to primary industrial uses should be added, potentially with size limitations. Size limits for retail and professional services in OCMC 17.37.020.L and M should be revised downwards to a 5,000 square foot limit for a single retail outlet and 20,000 square foot limit for multiple outlets for compliance with Metro Title 3.07.430(a). Parks, trails, urban agriculture, and community garden uses should be added as permitted uses to accommodate the planned trail network and open space uses within the powerline areas. Distribution and warehousing uses are conditional uses in the CI zone; they should be prohibited uses in the subdistrict because they generally do not produce significant numbers of family-wage jobs. (OCMC 17.37.030.A.) Outdoor storage is not permitted as a primary use, but limited to storage for primary uses with screening requirements. (OCMC 17.37.050.E.) There are currently no limitations on the size of outdoor storage; revisions should include a limit of 20-25% of the site that can be used for outdoor storage within this subdistrict to promote job-generating uses instead.

While the implementing CI zone accommodates a wide range of light industrial uses, no specific use categories for green industries, such as solar panel manufacturing, are recommended because emerging trends change more quickly than zoning code. A broad use category more effectively supports new technologies than attempting to narrowly define and limit uses.

Dimensional standards allow up to 45 feet of height, which accommodates the planned 1-2 story scale for the subdistrict. No changes are recommended. (OCMC 17.37.040.B.) The minimum landscaping requirement is 15% of the site, which may

be met through open space, trees, and recreation uses. (OCMC 17.37.050.A.) Natural resource areas may be counted towards the landscaping minimum. (Proposed OCMC 17.62.050.A.3.) The City should consider expanding the provisions in OCMC 17.62.050.A.3 to allow open spaces within the powerline corridor areas to also count towards the minimum landscaping requirement.

Pedestrian friendly site and building design is addressed through standards for site and building design, including requirements for parking to be located behind or to the sides of buildings and for pedestrian connections between streets, building entrances, and parking areas. (OCMC 17.62.050.) No further changes are recommended.

Maximum block length or maximum block perimeter standards can help create manageable block lengths that support the pedestrian environment, but may conflict with industrial development needs for larger sites. The proposed code revisions currently being reviewed by the City Commission remove any maximum block lengths in the CI district; no further changes are recommended. (Proposed OCMC 16.12.030.)

Green development practices include site and building design that supports sustainability, many of which are already included in site development standards. 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 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. Developing a City-led program as an alternative would introduce a different set of concerns about difficulty of developing and administering such a complex set of standards, and is not recommended. Attracting green industries could be better supported through economic development initiatives to actively recruit emerging businesses.

The powerline corridor and powerline mixed-use areas are a significant feature running through the NEC subdistrict, including portions that are usable for development and portions to be conserved for open space and trails. The corridor is protected by easements on the individual properties, in favor of the utility providers, limiting development that would conflict with overhead powerlines and underground gaslines. While vertical development is restricted within the easement areas, there may be limited development potential for accessory uses such as parking and stormwater facilities supporting industrial development. The easement areas also create open space opportunities envisioned for trails and other “non-building” uses, with public access easements. Parks, trail and community garden

uses should be added to the permitted uses section for the CI zone in OCMC 17.37.020 to accommodate envisioned uses, and additional code standards should be added to better define the extent of required open spaces and trails with the powerline corridor. Additional coordination will help to clarify the potential for development and open space uses.

Identified trail corridors should also be added to the City's Trails Master Plan in addition to those already included to support acquisition and development. Additionally, the City and property owners should engage in discussion with utility providers to secure voluntary easements and define terms that are mutually acceptable.

## **Mixed Employment Village**

### ***Key Elements of the Concept Plan***

- Mix of uses including retail, office, civic and residential to create employment opportunities
- 3-5 story buildings
- Pedestrian friendly site and building design and green development practices
- Active street level and active urban district

### ***Code Analysis***

The Mixed Use Corridor-2 (MUC-2) zone is proposed to implement the Mixed Employment Village subdistrict. The Mixed Use Employment (MUE) zone was initially considered, but the MUC-2 is a better fit because it includes provisions for limited residential, size limits on retail, and prohibits light industrial uses, in contrast to the MUE zone and in support of the intentions for the subdistrict.

The MUC-2 zone proposes a range of retail, office and civic uses, with individual retail uses limited to maximum footprint of 60,000 SF. (OCMC 17.29.020.Q.) No changes to those uses are proposed to implement the plan, but the maximum size for individual retail uses should be decreased by as much as half in the plan area to discourage "big box" stores, with an exception for grocery stores up to 45,000 SF. Economic analysis on retail trends will inform the final recommendation to better scale the size limitations relative to retail trends and market projections.

Limited light manufacturing should also be added as a permitted use in this subdistrict to create employment opportunities. Similar to the existing MUE standards, such uses should be "limited to the design, light manufacturing, processing, assembly, packaging, fabrication and treatment of products made from previously prepared or semi-finished materials." (OCMC 17.31.020.H.)



This subdistrict is intended to allow residential uses in a mixed-use context, but with a heavier emphasis on creating employment opportunities. Permitted residential uses include live/work units, multifamily residential, and single-family and duplex uses in the same building as another permitted use. (OCMC 17.29.020.) For this subdistrict, residential uses including live/work units should be allowed up to a maximum of 50% of the floor area, and limited to upper stories or the rear of lots in order to promote an active street level to limit pressure for all-residential development that would decrease the subdistrict's capacity to achieve employment goals. There is one residential project permitted but not constructed on Taxlot # 3-2E-10C -00800, which should be explicitly allowed as a permitted use, rather than a legal nonconforming use. (See OCMC 17.18.035 for an example of how to permit a parcel-specific use.)

The allowed height in the MUC-2 zone is 60 feet, which would accommodate the most of the desired 3-5 story range for the area but not the upper end. (OCMC 17.29.060.D.) There is also a minimum height requirement of 25 feet or two stories. (OCMC 17.29.060.C.) Increasing the maximum height is only recommended to allow additional stories above the existing 60 feet only for upper-story residential, as a way to incentivize vertical mixed-use. Additional economic analysis on mixed-use trends will inform the final recommendation to better scale the height standards relative to market projections.

The minimum Floor Area Ratio (FAR)<sup>1</sup> standard is currently 0.25, which is below the average 0.44 FAR desired for the district. The minimum FAR standard should be increased to 0.35 to better support urban-scale, employment-generating uses. (OCMC 17.29.060.B.) Additional economic analysis will inform the final recommendation to better scale the FAR minimum considering its potential impacts on development feasibility.

Development in MUC-2 is subject to design standards addressing building design from entryways to façade articulation, transparency and relationship to the street, site circulation for vehicles and pedestrians, and screening. (OCMC 17.62.050 and 17.62.055.) No additional design standards are proposed.

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<sup>1</sup> Floor Area Ratio (FAR) is the ratio of a building's total floor area to the size of the piece of land upon which it is built, and measures the total physical space of a building on the site more precisely than the traditional combination of height limits and setbacks.

## **Main Street**

### ***Key Elements of the Concept Plan***

- Main Street feel, pedestrian-oriented development with buildings oriented towards the street, attractive streetscape, active ground-floor uses
- Mix of uses to include small-scale commercial, personal services, and higher-density residential on upper stories
- 3-5 story mixed-use buildings with minimum 2-story height
- Public gathering spaces

### ***Code Analysis***

The Neighborhood Commercial (NC) zone is proposed to implement the Main Street subdistrict. The Mixed Use Corridor (MUC-1 or 2) zones were also considered, but the NC includes size limitations on residential and commercial uses more consistent with the Main Street subdistrict intent. Additionally, the NC zone has not been applied to any properties within existing city limits, and is intended for application in other concept plan areas, which provides greater flexibility to modify the provisions without causing ripple effects to existing properties.

The NC zone generally allows a range of commercial, service and residential uses, consistent with the Main Street “mixed-use center” intent. The maximum footprint for individual uses is limited to a 10,000 SF as a permitted use, except grocery stores which are limited to 45,000 SF; the only recommended change is to remove the exception for larger-scale grocery stores, which could dominate this relatively small Main Street. (OCMC 17.24.020.) Grocery stores and other uses with a larger footprint could be located in the Mixed Employment Village, which has more acreage and is intended for larger format uses, including their attendant parking needs.

The NC zone allows multifamily, attached single-family and duplex residential uses limited to 50% of the project square footage when proposed with nonresidential uses, in addition to live/work units. (OCMC 17.24.020.D) The plan calls for active ground-floor use that would preclude residential uses, particularly given the relatively limited extent of the Main Street subdistrict and the focus on creating an active, pedestrian focal point, with a significant mixed-use component that would yield approximately 100 housing units at densities averaging 25 units per acre. Implementing code standards should build upon the 50% residential use limitation in the NC zone to balance promotion of active ground-floor uses against economic likelihood of vertical mixed-use projects. Potential revisions could include allowing unlimited square footage for upper-story uses or allowing residential in a horizontal mixed-use configuration with residential uses set back a minimum distance from the primary roadways with an active ground floor use in front.

The NC dimensional standards should be slightly revised for the Beavercreek Road area to achieve the desired street presence and activity level. The maximum height in the district is three stories or 40 feet; code revisions should permit up to five stories if upper stories are developed with residential uses, to create additional incentive for vertical mixed-use. (OCMC 17.24.040.A.) A minimum height standard of two stories or 25 feet should be added to create a sense of enclosure. The maximum front setback of 5 feet contributes to the street presence, however, the maximum street side yard setback for corner lots should be reduced from 30 feet to 5 feet, to create a strong corner presence; an exception to both should be added to allow outdoor dining areas within an extended setback. (OCMC 17.24.040.E.) A minimum FAR of 0.5 should be added to encourage more intensive development that contributes to both built form and to job generation.

Site and building design standards that apply to the NC zone largely contribute to pedestrian-friendly, engaging streetscapes. (OCMC 17.62.050 and 17.62.055.) Minimum landscaping requirements for Main Street development should be reduced with options for privately maintained container plantings along the street and potentially green roofs to meet requirements, given limited site area for conventional landscaping with buildings built up to the property line. Building design standards in OCMC 17.62.050 and 17.62.055 address issues such as articulation and transparency to create an engaging ground-floor façade; no additional changes are recommended for this subdistrict.

A core feature of the Main Street subdistrict is an active streetscape. Many aspects of the streetscape will be addressed within the public right-of-way, planned as a Main Street Collector with wide sidewalks and street trees, buffered from the street by a parking lane. (BCRCP, page 30.) Additional zoning and street standards should be developed to support on-street café seating, landscaping planters or other pedestrian amenities within setbacks from the street, and weather protection elements. Program initiatives outside of the code could include selection of distinct street furnishings and streetlights, banners and flower baskets.

Controlling parking and vehicle access will be important to reduce their relative impact on the pedestrian-focused Main Street frontage. Multiple options exist to allow site-specific reductions to off-street parking, including options for shared parking, on-street parking credits, and reductions for mixed-use or transit-oriented developments. (OCMC 17.52.020.) Parking should be permitted only behind buildings, and not on the sides of buildings visible from the sidewalk, to avoid disrupting the continuity of the block, with an exception for corner lots to allow parking areas on the lower-classification street. (OCMC 17.62.020.A.2.a.) Alley access for off-street parking is currently required in OCMC 16.12.026 for new lots, and will assist in decreasing the presence of off-street parking areas along street

frontages; standards should provide greater clarity on when alternative access to off-street parking is permitted to limit exceptions to the alley requirement.

## **West Mixed-Use Neighborhood**

### ***Key Elements of the Concept Plan***

- Mix of housing with variety of housing types to achieve 22 units/acre
- Opportunities for in-home work including home occupations and live/work units
- Options for mixed-use buildings and limited commercial uses
- Walkable, transit-oriented neighborhood

### ***Code Analysis***

The WMU will be implemented by the High Density Residential (R-2) zone, which will be significantly updated as part of the proposed code amendments. (Proposed OCMC 17.12.) As proposed, the R-2 zone allows a broad mix of housing types including duplexes, single-family attached, cottage clusters, and multifamily residential. Home occupations are permitted and live/work units should be added as a permitted use.

In addition to the plan direction to facilitate in-home work options, the 2008 Land Use Board of Appeals (LUBA) case and the 2016 re-adoption findings by City Commission directed the City to further consider opportunities for “cottage industries” as a feature in the residential neighborhoods. Existing home occupation standards support only professional services, with no manufacture or sale of products allowed; live/work standards similarly support commercial and service uses rather than manufacturing. (OCMC 17.04.580 and proposed 17.20.040.) If additional manufacturing and sale of products in a residential neighborhood context is desired, standards should be revised to permit such uses and limit potential impacts related to customer and delivery vehicles, size of indoor and outdoor operations, and potential nuisances like odor, heat, and noise, as well as potential utility demands. Additionally, this process can explore other opportunities to integrate meaningful work opportunities at the neighborhood and the district scale, with over 5,000 jobs forecasted.

No commercial or mixed-use is currently permitted in the R-2 zone. Use standards should be amended to permit, but not require, limited small-scale commercial uses not to exceed 5,000 SF as stand-alone or mixed-use project. Uses should be limited to community-serving uses such as retail, eating and drinking establishments, and personal services. Uses should be permitted only through a conditional use review or master planning process. Alternative strategies could also including zoning a

particular corner or parcel within the subdistrict with the NC zone to promote these uses.

Allowed residential densities in the R-2 are proposed at a minimum of 17.4 and maximum of 21.8 units per net developable acre. While this could accommodate development at nearly 22 units/acre, additional economic forecasting will occur to understand whether it would average 22 units/acre without additional flexibility to increase density for certain projects. The only option to increase density in the R-2 zone above 22 units/acre is a 20% density bonus for affordable housing. (Proposed OCMC 17.12.050.C.) Additional flexibility should be considered, by increasing the minimum or maximum density standards for this district or by introducing density bonuses, to allow more variety of project densities while still meeting the planned average of 22 units/acre. For example, a similar 20% density bonus could be offered for certified green buildings.

Design standards for multifamily residential address pedestrian and vehicular circulation, and proposed standards for cluster housing and single-family attached residential provide additional models for walkable development by minimizing the number of driveways and promoting quality building design and open spaces along street frontages. (Proposed OCMC 17.16 and 17.20.020.)

## **East Mixed-Use Neighborhood**

### ***Key Elements of the Concept Plan***

- Mix of housing with variety of housing types serving various income levels to achieve average of 8.7 units/acre, with in-home work options
- Walkable, tree-lined neighborhood
- Connections to open space
- Transition area on Old Acres Rd to minimize conflict with larger-lot residential to the south, outside of the City limits

### ***Code Analysis***

The Medium Density Residential (R-5) zone to implement the EMU subdistrict has been substantially revised in the proposed code amendments. (Proposed OCMC 17.10.) As proposed, the zone permits single-family detached, single-family attached, duplexes, cluster housing, and 3-4 plexes, with a minimum density of 7 units per net developable acre up to maximum densities of 8.7 to 17.4 units/acre depending on unit type. Economic analysis will explore the potential average density of new development, and relative market demand for different housing types; it is anticipated that strongest demand will be for single-family detached units that are subject to a maximum density of 8.7 units/acre, rather than the higher



density options, which would suggest no need for further limiting density in this subdistrict.

Home occupations are a permitted use, and live/work units are a conditional use in the R-5. Similar to the West Mixed Use Neighborhood, this implementation process should explore potential for “cottage industries” that permit manufacture and sale of products in addition to existing home occupation and live/work standards.

Dimensional and design standards specific to each type of residential development are included in the proposed code. (Proposed OCMC 17.14, 17.16, 17.20.020.) No further changes are proposed to implement the BRCP at this stage because the plan does not detail a specific vision for residential development; any future design standards for this district should be developed through a public process to better capture a desired vision. In contrast, the Park Place and South End Concept Plans articulated a design vision that was implemented through district-specific residential design standards. Another difference between these concept plan areas is that South End and Park Place are anticipated to be primarily dominated by single-family detached homes, while the medium-density portion of this district is much smaller and is anticipated to accommodate a range of residential types subject to use-specific design standards for townhouses, cluster housing, duplexes and single-family detached homes that will provide greater design variety without the need for additional residential design standards.

There are currently no tools in the R-5 zone to accomplish neighborhood transition along the southern edge of the subdistrict formed by Old Acres Lane, a shared private accessway. Proposed code revisions should include a requirement for lots along the southern boundary to be limited to single-family detached uses with a minimum setback of 25 feet including a 5-foot landscaping buffer with hedges or trees for any rear yards abutting the southern boundary of the concept plan boundary, including incentives to preserve existing trees.

Walkable, pedestrian-oriented neighborhoods will be created through conformance to block spacing standards, which cap maximum block length at 530 feet for local streets. (OCMC 12.04.195.A.) Standard residential local streets include 5.5-foot-wide landscape strips that can accommodate street trees. (OCMC 12.04.180.) New street trees are required with single-family detached, duplex, single-family attached and 3-4 plex development. (Proposed OCMC 17.14.090, 17.16.050.C, and existing 12.08.) Tree retention or planting on residential lots, which could be in front or rear yards, is also required. (OCMC 17.14.080.) No changes to these code sections are being proposed

## **Natural Areas**

### ***Key Elements of the Concept Plan***

- Connected system of parks, open spaces and natural areas
- Access to nature through preservation of trees and natural areas
- Power Line Open Spaces, trails and multi-use area
- Thimble Creek Habitat Preservation Area
- Central Tree Grove
- Resource Protection Areas

### ***Code Analysis***

The BRCP identifies an interconnected network of parks, trails, natural areas, and conservation and low impact development areas.

The proposed natural areas and conservation and low impact development area overlap with mapped natural resource areas protected through existing overlays, however, the extent of the BRCP natural areas is significantly greater than the mapped overlays. The Natural Resource Overlay District (NROD) designation (OCMC 17.49) provides for preservation of the mapped riparian areas, habitat areas, and wetlands, which discourage development except for limited uses such as trails. The Geologic Hazards Overlay District (GHOD) will also be applied to development on sites with slopes 25% or greater, which limits but does not entirely prevent development on slopes 25% or greater. (OCMC 17.44 and 17.04.515.) NROD and GHOD provisions should implement the plan vision for resource protection in the mapped areas.

However, there is not currently a code mechanism to protect open spaces identified in the Open Space Framework plan (Figure 13, page 22) where the NROD and GHOD do not apply. Tree protection required consistent with OCMC 17.41 may support conservation of additional resource areas. It encourages protection of healthy trees and tree groves by requiring installation of additional trees as mitigation for trees removed, though at a smaller size. If there is sufficient space onsite to plant, trees may be planted off-site mitigation or pay a fee-in-lieu.

The powerline corridors compromise 97 acres of the district, entirely within the NEC subdistrict. It is unclear what percentage of powerline easement areas should be set-aside for open space and trails while also allowing private development to ability to use the powerline areas for site circulation and parking; the plan estimates a 50-50 split for the purposes of calculating development potential. Further work will occur to better define the desired open space and trail widths within the easement corridor. The plan outlines four main strategies for the use of the powerline corridors, including publicly accessible open spaces, trails, community uses, and links to the

broader open space network. Trails should be designated on the Oregon City Trails Master Plan to support dedication and construction at the time of site development. As discussed in the NEC subdistrict section above, uses can be addressed through the implementing CI standards.

The Thimble Creek Conservation and Low Impact Development Area along the eastern edge of the district incorporates both NROD and GHOD resource areas. The Thimble Creek Conservation Area is designated riparian area protected by the NROD; no further changes are recommended. The Low Impact Development area upslope of Thimble Creek is intended for limited low-impact, residential development that protects views to the creek below. Much of the area is subject to the GHOD limiting development intensity. Additional direction on the desired and feasible development potential of this area will inform any additional zoning standards to supplement GHOD standards that limit density of development in areas on over 25% slope. Additional standards or implementation tools will guide low-impact development while preserving views and a trail corridor along the East Ridge.

Additional East Ridge features include a 700-foot “window” to adjacent natural areas and two scenic view points located north and south of the window. There are currently no code provisions to create these features. These features could be created through acquisition of trails or parkland, such as collocating the desired East Ridge Trail with the window location. View corridors could be established through code standards as an alternative means of protecting the views.

For any additional trails that are within or adjacent to protected natural resources, the City should consider amending the Oregon City Trails Master Plans to include those trails in order to take advantage of the exception to mitigation provided in 17.49.170.

## **Parks and Trails**

### ***Key Elements of the Concept Plan***

- Connected system of parks, open spaces and natural areas
- Trail network throughout the district

### ***Code Analysis***

The Beavercreek Road Concept Plan identifies multiple park, trail and overlook sites, including a proposed South-Central Open Space Network. The parks have not been identified for acquisition or development on the Oregon City Park and Recreation Master Plan, which was adopted in 1999 and last updated in 2008. Options to secure parkland include City-led acquisition or dedication from property owners at the

time of development. Land divisions are required to provide for adequate parks and trails facilities, as identified on the adopted parks and trails plans. (OCMC 16.08.025.E.4) This requirement is usually met through paying a Parks system development charges (SDC) to support development of the City's planned parks system, however, additional park dedication at time of development may be required in the Beavercreek Road area to serve local needs given that no facilities are identified in the Parks Master Plan.

Chapter 13.20 establishes system development charges (SDC) to be assessed on development for a range of public facilities including parks. SDCs are intended to pay for the cost of constructing or providing capacity sufficient to accommodate new development. It appears as though the dedication of a "qualified public improvement" would qualify for an SDC credit. In order for the dedication of park land to be eligible for SDC credits, the park would have to be identified in a capital improvement plan or facility master plan adopted pursuant to ORS 223.309. Therefore, the City may wish to include all of the BRCP parks in the Oregon City Park and Recreation Master Plan in order to allow them to qualify for SDC credits. Outside of SDC credits, the City has no mechanism for exacting parkland, with the exception of the master plan process which is optional.

Similarly, trails should be identified on the Oregon City Trails Master Plan to ensure that dedication of trail corridors or easements both qualifies for SDC credits and is required to be dedicated at the time of development. The most recent Trails Master Plan (2013) includes only Thimble Creek Trail and Beaver Lake Regional Trail. Several trails could be collocated with primary transportation facilities within an expanded right-of-way, such as the East Ridge Trail and the South Central Trail; to accomplish this, expanded cross-sections should be adopted into the Transportation System Plan (TSP).

To better illustrate planned parks, trails and open space improvements, the preliminary plat requirements should be revised to require the location of future parks, open spaces and trails on the plat. (OCMC 16.08.025.A.)

Finally, as noted above, if trails will be within or adjacent to protected natural resources, the City should consider amending the Oregon City Parks, Open Space and Trails Master Plans in order to take advantage of the exception to mitigation provided in OCMC 17.49.170.

## **Transportation**

### ***Key Elements of the Concept Plan***

- Use green street designs throughout the area

- Require local street and pedestrian way connectivity
- Promote multimodal network of facilities, including trails, bikeways and transit services

### *Code Analysis*

The Draft Concept Plan (Figure 14, page 26) identifies a complete multi-modal street system, including cross-sections for green streets. Additional coordination with Public Works will support implementation of this plan as individual developments move forward.

Development of adequate right-of-way and improvements is required at the time of project development, consistent with the adopted transportation master plan. (Proposed OCMC 16.12.015.) The Transportation System Plan (TSP) should be amended to include the core transportation network for this district to ensure that facilities are built in the intended locations and to the standards outlined in the BRCP.

There are a number of sections in proposed OCMC 16.12 that provide specifications for sidewalks, street and accessway design which may differ with the BRCP; provisions in OCMC 16.12.016 recognizing standards in alternative plans should explicitly refer to the BRCP and other concept plans to better clarify the relationship between the roadway standards in the code and in the BRCP. New, fully detailed cross-sections for the greenstreet concepts outlined in the BRCP shown on pages 27-30 have been adopted as part of the TSP to ensure future development builds the roadways as intended. Additional amendments to the street design standards in proposed OCMC 16.12.016 should either add the desired street types or include a reference in the street design manual which will be adopted outside of this code amendment process.

The local street system providing pedestrian connectivity will be designed and built with development. The maximum block length in non-industrial areas is 530 feet, unless pedestrian accessways are provided as an alternative. (Proposed OCMC 16.12.030 and 16.12.032.) These standards should provide a local street network consistent with the plan vision and no further changes are recommended.

The proposed code requires public alleys in addition to local streets in the concept plan areas for all the subdistricts except the industrial NEC, unless alternative access to off-street parking is required. (Proposed OCMC 16.12.026) The BRCP does not specifically mention alleys as part of the design, but does generally promote pedestrian-friendly and walkable street design. Alleys provide alternative access to parking facilities and garages, minimizing the presence of vehicles and driveway curb cuts along local streets, which could support the plan's walkability goals. However, alleys are expensive to build and maintain, and create additional

impervious surface. Further direction on alley requirements should be informed by the final code changes supporting or eliminating alley standards citywide.

Transit service will be developed by Tri-Met as the area develops; generally, higher density and job-intensive uses with more potential transit riders will support future transit service.

## **Infrastructure**

### ***Key Elements of the Concept Plan***

- Water, sewer and stormwater systems
- Low-impact development practices for stormwater

### ***Code Analysis***

Title 13 of the Municipal Code includes the Title 13 City's standards for public services including water, sewer, stormwater, and telecommunications. The fees and SDCs associated with these services are also addressed. Water and sewer SDCs charged at the time of development will support construction of needed facilities. Additionally, all land divisions and site developments will be required to demonstrate that adequate utility capacity exists at the time of development. (Proposed OCMC 16.08.030 and 17.62.050.E.) and construct all abutting facilities and potentially proportionally mitigate or upgrade offsite facilities as a condition of development approval.

The City has adopted a new series of Low Impact Design (LID) stormwater standards and anticipates the adoption of a green street design manual in the fall of 2019 that will be applied to development in this area, fulfilling the plan goals. No further changes are recommended.

## **Development Review Procedures**

### ***Key Elements of the Concept Plan***

- Require master planning process for large mixed-use and residential developments (e.g. 40 acres)
- Review large-lot industrial development through site plan review

### ***Code Analysis***

The plan recommends master planning for large mixed-use and residential developments to implement the plan vision. The City has a master planning process, including proposed amendments to better address residential development.



(Proposed OCMC 17.65.) The master planning process, which is voluntary, requires compliance with concept plan provisions, and includes additional residential provisions such as provision of open space and mix of residential uses, while providing flexibility to modify the base zone standards. (Proposed OCMC 17.65.050.C.)

Mandatory master planning is not recommended in light of state standards requiring clear and objective residential development standards. 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 can also require master planning as a condition of annexation or zone change.

## **Sustainability**

### ***Key Elements of the Concept Plan***

- Sustainable design, development practices, planning and innovative thinking
- Achieved through combination of private initiatives, public requirements and public-private partnerships
- Strategies including compact development, green infrastructure, multimodal transportation, and tree preservation

### ***Code Analysis***

The greatest strength of the BRCP, as implemented by the proposed zones and code changes recommended herein, 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 can be implemented through development provided city standards and master plans are brought into alignment. Many of the zoning standards, particularly the expanded residential zones, support compact development, coupled with resource protection standards for sensitive environmental areas. This implementation process seeks to continue building partnerships with private and institutional stakeholders to further support sustainable development, and exploring incentives such as density bonuses or economic development tools.