



# City of Oregon City

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

## Meeting Agenda Planning Commission

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Monday, April 8, 2013

7:00 PM

Commission Chambers

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1. Call To Order

3. Public Comments

4. Public Hearing

Pavilion Park 2: Request for an 11-Lot Subdivision, Zone Change and Geologic Hazards review.

Staff: Community Development Director Tony Konkol

Attachments: [Commission Report](#)  
[Request for Continuance](#)

Clackamas County Red Soils Master Plan: Planning Files CP 12-01 and DP 12-01.

Staff: Community Development Director Tony Konkol

Attachments: [Commission Report](#)  
[CP 12-01 Staff Report Revised](#)  
[Exhibit 13a. Applicant's Submittal for the 4.8.13 Hearing](#)  
[Exhibit 13b: Applicant's Submittal for the 1.28.13 Hearing](#)  
[Exhibit 14](#)

L 13-01: Transportation System Plan (TSP)

L 13-02: Associated Amendments to the Oregon City Municipal Code

Staff: Community Development Director Tony Konkol

Attachments: [Revised Parking Table](#)  
[Comments from Rick Williams](#)  
[Comments from ODOT](#)  
[Items to Amend in the TSP](#)

5. Communications

6. Adjournment



# City of Oregon City

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

## Staff Report

File Number: PC 13-027

**Agenda Date:** 4/8/2013

**Status:** Agenda Ready

**To:** Planning Commission

**Agenda #:** 4a

**From:** Community Development Director Tony Konkol

**File Type:** Land Use Item

### **SUBJECT:**

Pavilion Park 2: Request for an 11-Lot Subdivision, Zone Change and Geologic Hazards review.

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

Staff recommends that the Planning Commission take public testimony from any interested party that wishes to testify and then continue the public hearing for Planning files TP 12-04: 11-Lot Subdivision, ZC 12-01: Zone Change and US 12-01: Geologic Hazards to the April 22, 2013 hearing.

### **BACKGROUND:**

The applicant is seeking approval for a Zone Change from "R-10" Single-Family Dwelling District to "R-6" Single-Family Dwelling District as well as an 11-lot subdivision and a Geologic Hazards review at 19370 Pease Road, Oregon City, Oregon 97045. The Planning Commission took initial testimony on this request at the February 25, 2013 hearing and continued the matter to the April 8, 2013 Planning Commission hearing. A continuance is requested to allow the applicant and the City sufficient time to address stormwater concerns.

### **BUDGET IMPACT:**

Amount:

FY(s):

Funding Source:



**From:** [Rick Givens](#)  
**To:** [Laura Terway](#)  
**Subject:** RE: Pavilion Park 2 Extension to 120-day Rule  
**Date:** Thursday, March 14, 2013 2:48:40 PM

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Hi Laura,

I just now was able to speak with Mark Handris about this. He agreed to the request for a continuance until the April 22nd hearing date. This e-mail will serve as our agreement to further extend the 120 day review period by two additional weeks.

Please let me know if you need anything further from me.

Thanks

Rick Givens

-----Original Message-----

From: Laura Terway [<mailto:lterway@ci.oregon-city.or.us>]  
Sent: Thursday, March 14, 2013 1:48 PM  
To: Rick Givens  
Subject: RE: Pavilion Park 2 Extension to 120-day Rule

Rick,

Have you decided to continue the upcoming Planning Commission meeting?

-----Original Message-----

From: Rick Givens [<mailto:rgivens@wbcable.net>]  
Sent: Wednesday, March 06, 2013 9:26 AM  
To: Laura Terway  
Subject: Pavilion Park 2 Extension to 120-day Rule

Hi Laura,

As you know, we agreed on the record at the Planning Commission Hearing to an extension of the 120-day rule for the Pavilion Park 2 project. This e-mail will confirm that we are granting a 45-day extension to the 120-day time period allowed for the review of this project.

Please let me know if you need anything further.

Rick Givens  
Planning Consultant  
11303 Brandow St.  
Oregon City, OR 97045  
PH: 503-479-0097



# City of Oregon City

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

## Staff Report

File Number: PC 13-026

**Agenda Date:** 4/8/2013

**Status:** Agenda Ready

**To:** Planning Commission

**Agenda #:** 4b.

**From:** Community Development Director Tony Konkol

**File Type:** Land Use Item

### **SUBJECT:**

Clackamas County Red Soils Master Plan: Planning Files CP 12-01 and DP 12-01.

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

Staff recommends that the Planning Commission approve Planning files CP 12-01 and DP 12-01 with conditions.

### **BACKGROUND:**

The proposed Concept (General) Development Plan and Detailed Development Plan for the Clackamas County Red Soils campus includes:

- Amend the Red Soils Master Plan to include the Silver Oak Building, a 68,419 square foot facility.
- Change the use of the Silver Oak Building from light industrial to storage and office to house the Sheriff's evidentiary material and construct minor alterations to the landscaping and parking lot.
- Adjust the fence height limitation to allow an 8-foot tall wrought iron and CMU fence along the south side of the Silver Oak facility.
- Adjust the fence height requirement to allow existing fences exceeding the maximum fence height to be replaced to the same height.
- Replace existing barbed or razor wire as needed within the Master Plan area.

All previous requests have been withdrawn from the application.

The applicant has been responding to Planning Commission requests and a change in staff interpretation since the application was before the Planning Commission on December 10, 2012.

### **BUDGET IMPACT:**

Amount:

FY(s):

Funding Source:

## **TYPE III LAND USE STAFF REPORT & RECOMMENDATION**

*Revised April 2, 2013*

**FILE NO.:** CP 12-01: Master Plan and DP 12-01: Detailed Development Plan

**APPLICATION TYPE:** Type III

**APPLICANT/ PROPERTY OWNER:** Clackamas County, c/o Marc Gonzales, 2051 Kaen Road, Oregon City, Oregon 97045

**REPRESENTATIVE:** Sera Architects, c/o Rebecca Epstein, 338 NW 5<sup>th</sup> Ave., Portland, Oregon 97209

**REQUEST:** The applicant submitted a Concept (General) Development Plan and Detailed Development Plan to incorporate the Silver Oak building at 1810 Red Soils Court into the Red Soils Master Plan, change the use of the building from light industrial to storage and office use and construct a fence and install landscaping onsite. The applicant proposed to obtain adjustments to development standards for fence height and building material for the proposed fence as well as existing fences onsite. In addition, the applicant requested approval to replace existing barbed or razor wire onsite if needed.

**LOCATION:**

1810 Red Soils Court, Oregon City, OR 97045, Clackamas County Map 3-2E205C TL 00806

1710 Red Soils Ct. Oregon City, OR 97045, Clackamas County Map 3-2E205C TL 00807

2051 Kaen Road. Oregon City, OR 97045, Clackamas County Map 3-2E205C TL 00812

**ZONING:** “MUE” Mixed Use Employment District

**REVIEWERS:** Laura Terway, AICP, Planner and Kelly Moosbrugger, Assistant Planner

**RECOMMENDATION: Planning Commission Approval with Conditions**

**PROCESS:** *Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the City Commission, except upon appeal. Applications evaluated through this process include conditional use permits and Master Plans for which discretion is provided. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission is published and mailed to the applicant, recognized neighborhood association and property owners within three hundred feet. 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, on the record. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to 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 LUBA within twenty-one days of when it becomes final.*

*A city-recognized neighborhood association requesting an appeal fee waiver pursuant to 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.*

**IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 722-3789.**

**DECISION CRITERIA:**

The development proposal will be analyzed for compliance with the following Chapters of the Oregon City Municipal Code:

Streets, Sidewalks and Public Places in Chapter 12.04,  
Public and Street Trees in Chapter 12.08,  
Pedestrian/Bicycle Accessways in Chapter 12.24,  
“MUE” Mixed Use Employment District in Chapter 17.31,  
Tree Protection Standards in Chapter 17.41,  
Natural Resource Overlay District in Chapter 17.49,  
Administration and Procedures are set forth in Chapter 17.50,  
Off-Street Parking and Loading in Chapter 17.52,  
Supplemental Zoning Regulations and Exception in Chapter 17.54,  
Lawful Nonconforming Uses, Structures and Lots in Chapter 17.58,  
Site Plan and Design Review in Chapter 17.62 and  
Master Plans in Chapter 17.65.

**CONCEPT (GENERAL) DEVELOPMENT PLAN:**

The proposed Concept (General/Master) Development Plan identifies the layout, maximum intensity, phasing and public improvements associated with the Clackamas County Red Soils Campus over a 20 year period. Approval of the General (Concept) Plan is followed by a series of Detailed Development Plan applications with refined building details including building design, landscaping, etc. which comply with the Oregon City Municipal Code and the approved Concept (General) Plan.

**EXISTING USE:**

The subject site will be utilized by Clackamas County as part of the Red Soils Campus, a campus of government services and functions for Clackamas County. The property located at 2051 Kaen Road is utilized as administrative offices for Clackamas County, while 1710 Red Soils Ct. is utilized as a utility plant. The property located directly south of the existing southern boundary of the Red Soils Master Plan, at 1810 Red Soils Ct. (Silver Oak Building) is currently utilized as a warehouse and is proposed to be incorporated into the Red Soils Master Plan as an office and warehouse for the Sheriff’s evidentiary material.

**PROPOSED DEVELOPMENT:**

Clackamas County submitted this application for the following:

- Amend the Red Soils Master Plan to include the Silver Oak Building, a 68,419 square foot facility.
- Adjust the fence height limitation to allow an 8-foot tall wrought iron and CMU fence along the south side of the Silver Oak facility.
- Change the use of the Silver Oak Building from light industrial to storage and office to house the

Sheriff's evidentiary material.

- Adjust the fence height requirement to allow existing fences exceeding the maximum fence height to be replaced to the same height.
- Minor alterations to the parking lot at the Silver Oak Building including installation of landscaping and a fence.
- Replace existing barbed or razor wire as needed.

Previous requests withdrawn from the application include:

- A request to install new razor or barbed wire onsite.
- A request to adjust the height and material standard of the Oregon City Municipal Code for future fences onsite (with the exception of the fence at the Silver Oak facility).
- A request to adjust the fence height and material standard to allow a 12-foot tall painted chain link fence with color slats along the south side of the Silver Oak facility.

The existing Master Plan was updated to reflect changes relating to the aforementioned amendments and adjustments on the following pages:

- Page 2 (Last paragraph): Introduces above mentioned amendments and adjustment requests.
- Page 3 (Context Map): Updated to include the Silver Oak Building on the Campus.
- Page 11 (Red Soils Campus Phasing): Updated to include Silver Oak Building on Campus.
- Page 12 (Red Soils Campus Program by Phase): Updated to include the Silver Oak gross square footage for Phase 2 and Full Build-Out.
- Page 13 (Enlarged Full Build-Out): Updated to include Silver Oak Building on Campus, no change from Page 11.
- Page 22 (Existing Conditions, Introduction): Revised to identify the past use of chain link at the 'Back Room' areas where public safety is a concern.
- Page 28 (Existing Conditions, Bicycle and Pedestrian Access & Parking): Note added to see Appendix E for Bicycle Parking Counts and Appendix G for Proposed On-Site Parking per City requirements
- Page 29 (Existing Conditions, Existing Fencing and Screening): Revised to request codifying the use of unpainted chain link above the code required height (6-foot, 8-foot, 12-foot and 24-foot with barbed wire or razor wire) at the County Jail/Adult Detention Facility (ADF), and Shaver Building.
- Page 61-62 (Master Plan, Fencing Guidelines): Revised to reflect codifying the Non-Conforming Existing Fences diagram on page 63 and fencing height adjustment for the Silver Oak Building.
- Page 63 (Master Plan, formerly Proposed Fencing Types diagram): Replaced page with diagram depicting Existing Non-Conforming Fences.
- Appendix A Site Plan: New sheet showing utility and topographic survey of the Silver Oak Building.
- Appendix B Engineering Site Plans: Revised to include Silver Oak Building on Campus.
- Appendix C: Pictures of the Non-Conforming Existing Fences identified on page 63 of the Master Plan Update.
- Appendix E Bicycle Parking Requirements: New sheet reflecting existing and proposed bicycle parking.
- Appendix F: Proposed On-Site Parking reflecting the addition of the Silver Oak Building into the Campus parking counts. (Revised sheet attached to the September revised memorandum)
- Appendix G: Proposed Landscape Plan for Silver Oak Building to meet current parking lot landscaping code and additional landscape screening at the proposed fence around the Silver Oak Building.
- Appendix H: Contextual Pictures of neighboring fences adjacent to the campus.

## **SURROUNDING LAND USES:**

Surrounding land uses to the larger campus are Multi-Family Dwelling (R-2) and Mixed-Use Commercial (MUC-1) to the north; Mixed-Use Employment (MUE) to the east; Single-Family Residential (R-10) and Hillendale Park to the south and, Single-Family Residential (R-6 and R-10) and Mixed-Use Corridor (MUC-1) to the west.

## **OREGON CITY MUNICIPAL CODE CRITERIA:**

### **CHAPTER 17.50 – ADMINISTRATION AND PROCEDURES**

**Finding: Complies.** The Concept (General) Development Plan and Detailed Development Plan applications were processed as Type III applications. A neighborhood association meeting was held and a pre-application conference took place on July 13, 2011 with Oregon City staff. The application was submitted to the City on April 30, 2012 and deemed incomplete on May 30, 2012. The applicant submitted additional information and the application was complete on October 18, 2012. Notice of the development was mailed to property owners within 300 feet of the site, the Hillendale Neighborhood Association, Citizen Involvement Committee and affected agencies on October 30<sup>th</sup>, 2012. The property was posted with a land use action sign providing details and requesting comments about the development from November 1st, 2012 to after the Planning Commission hearing(s). Comments were submitted by:

William Gifford, Land Use Chair of the Hillendale Neighborhood Association. The comments confirmed the meeting between the neighborhood association and the applicant. The neighborhood association does not have any objections to the incorporation of the Silver Oak building into the Master Plan, but is concerned about the proposed adjustments for fence height and building material. *“While sensitive to the issue of security, the HNA a) does not feel that the proposed fence height and materials would afford the additional security the project indicates and b) would consider such devices to be esthetically detrimental to the adjoining Hillendale City Park. Consequently, the HNA is opposed to granting this variance and requests the applicant to find an alternate method of obscuring the proposed usage of the property. One method suggested was merely doing nothing to draw attention to its use by means of signs, barriers, etc. It was felt that the installation of the proposed fence would do more to attract attention to the property than actually deterring trespassing or other criminal acts. Another suggestion was the implementation of deterrent vegetation – thorny bushes or trees. It was felt that if individuals were determined to enter the premises unlawfully, the proposed fence would only slow their activity, not stop it. Dissuading the public from entering the premises could be accomplished without an unsightly and oversized fence, requiring a code variance”* (Exhibit 4). The comments have been incorporated into the analysis of this report.

**Staff Response:** A response to neighborhood association’s concern regarding the fence adjustments is provided below.

- **Comment:** Allowing tall fences and chain link fences does not add additional security onsite.  
**Staff Response:** The applicant indicated that the fencing is recommended from the Department of Homeland Security, State and local law enforcement agencies.
- **Comment:** Allowing tall and chain link fences are aesthetically detrimental to Hillendale Park.  
**Staff Response:** The site is currently constructed with a significant amount of chain link and fences which exceed the existing height limit which were constructed prior to adoption of the current Oregon City Municipal Code. Allowing the proposed adjustments in the back room of the site would not significantly alter the aesthetics of the site. In addition, page 13 of the Master Plan displays the full build out of the site. A majority of the development is concentrated adjacent to Beaver Creek Road with none of the buildings located directly adjacent to the side property lines. Trees and vegetation line a majority of the property lines. Hillendale Park contains a large amount of vegetation adjacent to the Master Plan site and the applicant proposed to install additional vegetation with this proposed development at the Silver Oaks

facility. Staff suggested a condition of approval requiring the applicant to locate the proposed fence within 2 feet of the face of the existing curb line adjacent to the drive aisle, so that there is a landscape buffer between the park and the proposed fence. Where the fence abuts the existing pedestrian accessway to Hillendale Park, staff suggested a condition that the applicant shall not remove any of the existing trees adjacent to the pedestrian accessway to construct the fence. In addition, the applicant shall plant additional hedges and groundcover as required in OCMC Chapter 12.24.040(1-2).

- **Comment:** The applicant is encouraged to find an alternate method to obscure the use of the property, such as doing nothing to attract attention to the site with signs or barriers or implement deterrent vegetation.

**Staff Response:** The applicant withdrew the previous request to install a 12 foot chain-link fence and revised the application to install a 8 foot wrought iron fence. Installation of additional landscaping is required within the future Detailed Development Plan process and staff suggested a condition of approval requiring the applicant to locate the proposed fence within 2 feet of the face of the existing curb line adjacent to the drive aisle. Where the fence abuts the existing pedestrian accessway to Hillendale Park, staff suggested a condition that the applicant shall not remove any of the existing trees adjacent to the pedestrian accessway to construct the fence. In addition, the applicant shall plant additional hedges and groundcover as required in OCMC Chapter 12.24.040(1-2).

The public record will remain open until the Planning Commission closes the public hearing.

## **CHAPTER 17.31 “MUE” MIXED USE EMPLOYMENT DISTRICT**

### **17.31.020 *Permitted Uses***

**Finding: Complies as Proposed.** The applicant proposed to expand the Master Plan boundary by adding an additional property which will be utilized as office and warehouse use, uses permitted in OCMC 17.31.020.J.D.

### **17.31.030 *Limited Uses***

**Finding: Not Applicable.** The proposed development did not include an alteration to an existing conditional use.

### **17.31.040 *Conditional Uses***

**Finding: Complies as Proposed.** The applicant proposed to expand the Master Plan boundary by adding the Silver Oak facility which will be utilized as office and warehouse (uses permitted in OCMC 17.31.020.J.D). The applicant has previously received approval of a Conditional Use, identified as Planning file CU 05-03 for the site. As the applicant has not proposed to expand the Conditional Use and the amount of development proposed is exempt from Conditional Use review per OCMC 17.56.025, additional review of the Conditional Use is not required.

### **17.31.050 *Prohibited Uses***

**Finding: Not Applicable.** The application did not include a prohibited use.

### **17.31.060.A *Minimum lot areas: None.***

**Finding: Complies as Proposed.** The applicant proposed to add additional land to the Clackamas County Master Plan area without changing the property lines. The lots exceed the minimum lot area of zero.

### **17.31.060.B *Minimum Floor Area Ratio: 0.25.***

**Finding: Not Applicable.** Per the original Master Plan approval (file CP 05-01) the minimum floor area ratio does not apply to the subject site.

**17.31.060.C** *Maximum building height: except as otherwise provided in subsection C.1. of this section building height shall not exceed sixty feet.*

1. *In that area bounded by Leland Road, Warner Milne Road and Molalla Avenue, and located in this zoning district, the maximum building height shall not exceed eighty-five feet in height.*

**Finding: Not Applicable.** The applicant has not proposed to construct a building with the proposed development. All future construction shall demonstrate compliance with this standard.

**17.31.060.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.*

**Finding: Not Applicable.** The applicant has not proposed to construct a building with the proposed development. All future construction shall demonstrate compliance with this standard.

**17.31.060.E** *Maximum allowed setbacks: No maximum limit provided the Site Plan and Design Review requirements of Section [17.62.055](#) are met. Development of a campus with an approved Master Plan in the MUE zone is exempt from Section [17.62.055](#)D.1 of Site Plan and Design Review. All other standards are applicable.*

**Finding: Complies as Proposed.** The development is a campus with an approved Master Plan in the MUE zone and is exempt from this requirement.

**17.31.060.F** *Maximum site coverage of the building and parking lot: Eighty percent.*

**Finding: Not Applicable.** Per the original Master Plan approval (file CP 05-01) the minimum site coverage does not apply to the subject site.

**17.31.060.G** *Minimum landscape requirement (including the parking lot): Twenty Percent.*

*The design and development of the landscaping in this district shall:*

1. *Enhance the appearance of the site internally and from a distance;*
2. *Include street trees and street side landscaping;*
3. *Provide an integrated open space and pedestrian way system within the development with appropriate connections to surrounding properties;*
4. *Include, as appropriate, a bikeway walkway or jogging trail;*
5. *Provide buffering or transitions between uses;*
6. *Encourage outdoor eating areas appropriate to serve all the uses within the development;*
7. *Encourage outdoor recreation areas appropriate to serve all the uses within the development.*

**Finding: Complies as Proposed.** The applicant indicated that 22% of the site is landscaped, exceeding the minimum landscape requirement of 20%.

## **Chapter 17.65 – MASTER PLANS**

### **17.65.050.A Existing Conditions Submittal Requirements**

**17.65.050.A.1.a** *Current uses of and development on the site, including programs or services.*

**Findings: Complies as Proposed.** The subject site is utilized by Clackamas County as offices, a jail and various other uses. The applicant has proposed to add the Silver Oak building to the site which will be used for office and warehouse use (Exhibit 2).



**17.65.050.A.1.b** *History or background information about the mission and operational characteristics of the institution that may be helpful in the evaluation of the concept development plan.*

**Findings: Complies as Proposed.** The applicant submitted a narrative with a variety of information about the subject site (Exhibit 2).

**17.65.050.A.1.c** *A vicinity map showing the location of the Concept Development Plan boundary relative to the larger community, along with affected major transportation routes, transit, and parking facilities.*

**Findings: Complies as Proposed.** The applicant submitted a vicinity map displaying the subject site relative to the larger community (Exhibit 2).

**17.65.050.A.1.d** *Non-institutional uses that surround the development site. May also reference submitted maps, diagrams or photographs.*

**Findings: Complies as Proposed.** The applicant submitted a map displaying the adjacent buildings and zoning designations. Though primarily adjacent to the "MUE" Mixed Use Employment District, a portion of the site borders residential zoning designations (Exhibit 2).

**17.65.050.A.1.e** *Previous land use approvals within the Concept Development Plan boundary and related conditions of approval.*

**Findings: Complies as Proposed.** The subject site has received approval of multiple land use applications. The applicant, Clackamas County, has received a series of prior land use approvals on the subject site. A summary of the recent approvals is provided below.

#### SP 03-08

A Site Plan and Design Review application was approved by the Planning Division for the construction of a 109,000 square foot Public Services Building and parking lot, with pedestrian amenities and landscape improvements. The four-story office building houses offices for County health services, family services, community development and administration. In addition to office spaces, the structure includes a Council Chamber, a training room, lunchroom and lockers. Review of this application included an analysis of the stream onsite (Mud Creek) and associated wetlands and delineated the Water Quality Area Resource Overlay (Exhibit 3).

#### CP 05-01, WR 05-36 & CU 05-03

A General Master Plan (Planning file CP 05-01) and two Conditional Use permits were approved for the subject site to construct a Juvenile Facility, bring a pre-existing Detention Facility into compliance and expand the facility (Planning file CU 50-03). A Water Resource Exemption was approved for the development (Planning file WR 05-36).

The Master Plan included three phases of development. The first phase of construction to occur within 5 years of approval includes the construction of the Development Services Building (DSB), the Central Plaza in front of the DSB, the central utility plant and a new Facilities Building to replace the existing building. Phase two is between 5 and 10 years and includes the construction of the Courthouse, Human Services Building and three retail buildings. Phase three is between 10 and 20 years and will include the construction of the Sheriff Building, Juvenile Building, expansion of the existing detention facility and a possible expansion of the central utility plant to include a waste water treatment facility or similar component. An expansion of the central utility plant as a waste water treatment facility would require a separate conditional use permit at the time of development.

The approval identified four principles that serve as the foundation for the Master Plan:

1. Create an enduring image for the campus;

2. Create a great place for county employees to work;
3. Create a plan that makes both short term and long term fiscal sense; and
4. Create a place that employs environmentally sustainable practices.

From these four principles, the county has identified several design features that have been incorporated into the design of the campus, including a central plaza that will serve as a community gathering space, pedestrian connections through the site and to the surrounding community, clustering buildings and locating entrances in a manner that supports the pedestrian circulation system and requiring that all new buildings on the campus meet at a minimum USGBC LEED Silver Certification criteria (Exhibit 4).

#### DP 06-02

A Detailed Master Plan (Planning file DP 06-02) was approved to construct a Development Services Building and associated parking lot. The 4-story municipal building included offices for County Assessment and Taxation, Transportation and Development, County Surveyor and Water Environment Services Departments. The offices are located above a 53,000 square foot basement parking garage and storage area (Exhibit 5).

#### CP 07-02 and DP 07-01

A General Plan Amendment (Planning file CP 07-02) to add a Central Utility Plant and a Detailed Development Plan (Planning file DP 07-01) for the exterior improvements to the Central Utility Plant was approved by the Planning Division (Exhibit 6).

#### CP 08-03

A second General Plan Amendment was approved to construct an Adult Detention Facility and visitor parking lot, capable of accommodating up to 800 beds, in phase 2 of the development of the campus rather than in phase 3. The original phase 2 projects, including the County Office Buildings, parking garage, retail/office buildings and Court House, would subsequently be constructed in phase 3 developments. The amended Master Plan additionally relocated the interior loop road from north of the proposed Adult Detention Facility to south of the facility as part of the phase 3 construction and relocated the Juvenile Facility from the north side to the south side of Mud Creek (Exhibit 7).

#### CP 09-03, DP 09-02 and WR 09-07

The proposal includes an amendment to the Master Plan to accommodate the expansion of the jail footprint with the addition of a sally port. The medical wing will be located within the existing facility. The expansion of the driveway / stormwater facility will be reviewed under the Natural Resource section of the Oregon City Municipal Code. The application includes:

- The addition of a roof to the existing outdoor recreation area;
- A new free standing steel framed roof structure with standing seam metal roofing over existing entranceways on the east and south sides of the jail as well as over a new entranceway adjacent to the vehicle sallyport;
- The addition of a new 1,668 square foot sally port to the existing jail facility;
- The addition of a new 2,680 square foot medical wing to the existing jail facility;
- An exit from the south façade of the jail;
- Changes to the entranceway of the south building; and
- A Natural Resource Review updating the Red Soils Site / Mud Creek Wetland Delineation (Exhibit 8)

Staff has relied on the previous approvals in reviewing this amendment (Exhibits 3, 4, 5, 6, 7 and 8).





**17.65.050.A.1.f** *Existing utilization of the site. May also reference submitted maps, diagrams or photographs.*

**Findings: Complies as Proposed.** The applicant provided a narrative statement describing the existing uses of the site and a series of maps (Exhibit 2). The site is currently utilized by Clackamas County as offices, a jail and various other uses. The applicant has proposed to add the Silver Oak building to the site which will be used for office and warehouse use (Exhibit 2).

**17.65.050.A.1.g** *Site description, including the following items. May also reference submitted maps, diagrams or photographs.*

- (1) *Physical characteristics,*
- (2) *Ownership patterns,*
- (3) *Building inventory,*
- (4) *Vehicle/bicycle parking,*
- (5) *Landscaping/usable open space,*
- (6) *FAR/lot coverage,*
- (7) *Natural resources that appear on the City's adopted Goal 5 inventory,*
- (8) *Cultural/historic resources that appear on the City's adopted Goal 5 inventory, and,*
- (9) *Location of existing trees 6" in diameter or greater when measured 4' above the ground. The location of single trees shall be shown. Trees within groves may be clustered together rather than shown individually.*

**Findings: Complies as Proposed.** The applicant provided a narrative including a description of the site and a series of maps displaying the above existing conditions (Exhibit 2). As discussed in Chapter 17.65.050.C.4 of this report, no City-designated cultural or historic resources are located on the subject site. A small portion of the subject site is within the Natural Resource Overlay District (NROD).

**17.65.050.A.1.h** *Existing transportation analysis, including the following items. May also reference submitted maps, diagrams or photographs.*

- (1) *Existing transportation facilities, including highways, local streets and street classifications, and pedestrian and bicycle access points and ways;*
- (2) *Transit routes, facilities and availability;*
- (3) *Alternative modes utilization, including shuttle buses and carpool programs; and*
- (4) *Baseline parking demand and supply study (may be appended to application or waived if not applicable).*

**Findings: Complies as Proposed.** The applicant submitted a transportation impact letter prepared by Kittleson and Associates (Exhibit 2) identifying that there are no impacts of the proposed development. The transportation study was reviewed by John Replinger, transportation consultant for the City from Replinger and Associates (Exhibit 9) who concurred with the transportation analysis and determined that the County's use will be no higher than the prior use and no changes to site access were proposed requiring transportation related improvements.

**Bicycle Facilities and Connectivity.** In addition to the existing bicycle facilities and accessways identified in the Master Plan, the applicant identified 10 existing bicycle parking stalls at the Silver Oak building and an existing bicycle accessway within the parking lot of the Silver Oak building from the end of Red Soils Court along the eastern portion of the Silver Oak site to the adjacent park.

**Pedestrian Facilities and Connectivity.** In addition to the existing pedestrian accessways identified in the Master Plan, the applicant identified an existing pedestrian accessway within the parking lot of the Silver Oak building extending from the end of Red Soils Court along the eastern portion of the Silver Oak site to the adjacent park.

Transit Routes, Facilities and Availability. The existing transit facilities are identified in the Master Plan. No changes to transit routes are proposed or required with this development.

Baseline Parking Demand and Supply. The Master Plan amendment would add the Silver Oak site to the Red Soils campus. Page 82 of the Master Plan identified the uses of the site and the minimum and maximum parking stall requirements. A summation of the existing and proposed parking stalls demonstrated that the proposed development exceeds the minimum automobile parking stall requirement and is less than the maximum requirement.

Maximum Campus Automobile Parking	2,996
Minimum Campus Automobile Parking	2,053
Campus Automobile Parking Provided in Master Plan	2,541

**17.65.050.A.1.i** *Infrastructure facilities and capacity, including the following items.*

- (1) *Water,*
- (2) *Sanitary sewer,*
- (3) *Stormwater management, and*
- (4) *Easements.*

**Findings: Complies with Condition.** There is existing water, sanitary sewer and stormwater management facilities onsite. The site is surrounded by adequate City water mains on all four sides including through the interior of the main property. There is sanitary sewer service from the existing main in Red Soils Court. Storm water systems have already been constructed for the site, and there will be minor alternations to the impervious area. The changes include the addition of landscaping which would decrease the impervious area. No new facilities are proposed, and no new easements for public facilities are required. The development proposal includes the construction of an 8 foot wrought iron fence extending along the southern and eastern property lines of the Silver Oak facility. An existing 10 pedestrian access easement and abutting 15 foot pedestrian access and utility easement are located along the southern property of the Silver Oak site for a total of a 25 foot easement. A 5 foot utility easement is present on the western side of the Silver Oak site. In order to minimize the encroachment within the easement and minimize the impact of installing an extensive structure within the easements, the proposed fence along the south side of the Silver Oak facility shall be located no more than 2 feet south of the existing curb adjacent to the drive aisle on the south side of the parking lot. The proposed fence along the west side of the Silver Oak facility shall be located no more than 2 feet west of the existing curb adjacent to the drive aisle on the west side of the parking lot. All existing landscaping removed to construct the fence shall be replaced along the fence. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 3.**

**17.65.050.A.2.a** *Existing conditions site plan.*

**Findings: Complies as Proposed.** The applicant submitted a site plan of the existing conditions of the site (Exhibit 2).

**17.65.050.A.2.b.** *Vicinity map.*

**Findings: Complies as Proposed.** The applicant submitted a vicinity map of the development site (Exhibit 2).

**17.65.050.A.2.c.** *Aerial photo.*

**Findings: Complies as Proposed.** The applicant submitted an aerial photo depicting the subject site and adjacent property (Exhibit 2).

**17.65.050.B.** *Proposed Development Submittal Requirements*

**17.65.050.B.1.a** *The proposed duration of the concept development plan.*

**Findings: Complies as Proposed.** The General (Master) Plan will be implemented over a period of 20 years from initial adoption.

**17.65.050.B.1.b** *The proposed development boundary. May also reference submitted maps or diagrams.*

**Findings: Complies as Proposed.** The project boundaries include the following properties: 1810 Red Soils Court, Oregon City, OR 97045, Clackamas County Map 3-2E205C TL 00806, 1710 Red Soils Ct. Oregon City, OR 97045, Clackamas County Map 3-2E205C TL 00807 and 2051 Kaen Road. Oregon City, OR 97045, Clackamas County Map 3-2E205C TL 00812.

**17.65.050.B.1.c** *A description, approximate location, and timing of each proposed phase of development, and a statement specifying the phase or phases for which approval is sought under the current application. May also reference submitted maps or diagrams.*

**Findings: Complies with Condition.** The applicant has not proposed to alter the phasing of the existing Master Plan. The proposed alterations to the parking lot adjacent to the Silver Oak Building with the construction of a fence and landscaping, but did not propose a timeline for construction. The applicant shall complete all proposed development associated with this application prior to occupying the Silver Oak building for office or evidentiary storage use. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 1.**

**17.65.050.B.1.d** *An explanation of how the proposed development is consistent with the purposes of Section 17.65, the institutional zone, and any applicable overlay district.*

**Findings:** Please refer to the findings within this report.

**17.65.050.B.1.e** *A statement describing the impacts of the proposed development on inventoried Goal 5 natural, historic or cultural resources within the development boundary or within 250 feet of the proposed development boundary.*

**Findings: Complies as Proposed.** Though the Master Plan boundary includes the Natural Resource Overlay District, the proposed development area is not within any Goal 5 resource areas.

**17.65.050.B.1.f** *An analysis of the impacts of the proposed development on the surrounding community and neighborhood, including:*

- (1) Transportation impacts as prescribed in Subsection "g" below;*
- (2) Internal parking and circulation impacts and connectivity to sites adjacent to the development boundary and public right-of-ways within 250 feet of the development boundary;*
- (3) Public facilities impacts (sanitary sewer, water and stormwater management) both within the development boundary and on city-wide systems;*
- (4) Neighborhood livability impacts;*
- (5) Natural, cultural and historical resource impacts within the development boundary and within 250 feet of the development boundary.*

**Findings:** The applicant submitted documentation on the impacts of the proposed development. Please refer to the analysis within this report.

**17.65.050.B.1.g** *A summary statement describing the anticipated transportation impacts of the proposed development. This summary shall include a general description of the impact of the entire development on the local street and road network, and shall specify the maximum projected average daily trips, projected AM and PM peak hour traffic and the maximum parking demand associated with build-out each phase of the master plan.*

**Findings:** Please refer to the analysis in OCMC Chapter 17.65.050.B.1.i of this report.

**17.65.050.B.1.h** *In addition to the summary statement of anticipated transportation impacts, an applicant shall provide a traffic impact study as specified by City requirements. The transportation impact study shall either:*

- (1) address the impacts of the development of the site consistent with all phases of the concept development plan; or*
- (2) address the impacts of specific phases if the City Engineer determines that the traffic impacts of the full development can be adequately evaluated without specifically addressing subsequent phases.*

**Findings: Complies as Proposed.** The applicant submitted a traffic impact analysis prepared by Kittleson and Associates (Exhibit 2) discussing the transportation impacts of the proposed development. The transportation study was reviewed by John Replinger, transportation consultant for the City from Replinger and Associates (Exhibit 9) who agreed with the analysis that the proposed County's use would not create more traffic impacts than the prior use. No changes to site access or transportation related mitigation is required.

**17.65.050.B.1.i** *If an applicant chooses to pursue option h(1), the applicant may choose among three options for implementing required transportation capacity and safety improvements:*

- (1) The concept development plan may include a phasing plan for the proposed interior circulation system and for all on-site and off-site transportation capacity and safety improvements required on the existing street system as a result of fully implementing the plan. If this option is selected, the transportation phasing plan shall be binding on the applicant.*
- (2) The applicant may choose to immediately implement all required transportation safety and capacity improvements associated with the fully executed concept development plan. If this option is selected, no further transportation improvements will be required from the applicant. However, if a concept development plan is later amended in a manner so as to cause the projected average daily trips, the projected AM or PM peak hour trips, or the peak parking demand of the development to increase over original projections, an additional transportation impact report shall be required to be submitted during the detailed development plan review process for all future phases of the development project and additional improvements may be required.*
- (3) The applicant may defer implementation of any and all capacity and safety improvements required for any phase until that phase of the development reaches the detailed development plan stage. If this option is selected, the applicant shall submit a table linking required transportation improvements to vehicle trip thresholds for each development phase.*

**Findings: Complies as Proposed.** The applicant submitted a traffic impact analysis prepared by Kittleson and Associates (Exhibit 2) discussing the transportation impacts of the proposed development. The transportation study was reviewed by John Replinger, transportation consultant for the City from Replinger and Associates (Exhibit 9) who agreed with the analysis that the proposed County's use would not create more traffic impacts than the prior use. No changes to site access or transportation related mitigation is required.

**17.65.050.B.1.j** *The applicant or city staff may propose objective development standards to address identified impacts that will apply within the proposed development on land that is controlled by the institution. Upon approval of the concept development plan, these standards will supersede corresponding development standards found in this code. Development standards shall address at least the following:*

- (1) Pedestrian, bicycle and vehicle circulation and connectivity;*
- (2) Internal vehicle and bicycle parking;*
- (3) Building setbacks, landscaping and buffering;*

- (4) *Building design, including pedestrian orientation, height, bulk, materials, ground floor windows and other standards of Chapter 17.62; and*
- (5) *Other standards that address identified development impacts.*

**Findings: Not Applicable.** The applicant has not proposed alternative objective development standards.

**17.65.050.B.2.a.** *A preliminary site circulation plan showing the approximate location of proposed vehicular, bicycle, and pedestrian access points and circulation patterns, parking and loading areas or, in the alternative, proposed criteria for the location of such facilities to be determined during detailed development plan review.*

**Findings: Complies as Proposed.** The applicant submitted a site plan for the proposed development displaying the approximate location of proposed vehicular, bicycle, and pedestrian access points and circulation patterns, parking and loading areas. The applicant identified an accessway within the parking lot of the Silver Oak building from the end of Red Soils Court along the eastern portion of the Silver Oak site to the adjacent park.

**17.65.050.B.2.b** *The approximate location of all proposed streets, alleys, other public ways, sidewalks, bicycle and pedestrian access ways and other bicycle and pedestrian ways, transit streets and facilities, neighborhood activity centers and easements on and within 250 feet of the site. The map shall identify existing subdivisions and development and un-subdivided or unpartitioned land ownerships adjacent to the proposed development site and show how existing streets, alleys, sidewalks, bike routes, pedestrian/bicycle access ways and utilities within 250 feet may be extended to and/or through the proposed development.*

**Findings: Complies as Proposed.** The applicant submitted a map displaying the approximate location of all easements as well as pedestrian, bicycle and automobile facilities within 250 feet of the site.

**17.65.050.B.2.c** *The approximate location of all public facilities to serve the proposed development, including water, sanitary sewer, stormwater management facilities.*

**Findings:** Please refer to the analysis within this report.

**17.65.050.B.2.d** *The approximate projected location, footprint and building square footage of each phase of proposed development.*

**Findings: Complies as Proposed.** The applicant submitted a map displaying the location and footprint of the existing and proposed structures. No changes to the phasing were proposed. The final sizes and locations are subject to minor changes in the Detailed Development Plan review. Major changes to the size or location of the structures will require an adjustment to the Concept (General/Master) Development Plan.

**17.65.050.B.2.e** *The approximate locations of proposed parks, playgrounds or other outdoor play areas; outdoor common areas and usable open spaces; and natural, historic and cultural resource areas or features proposed for preservation. This information shall include identification of areas proposed to be dedicated or otherwise preserved for public use and those open areas to be maintained and controlled by the owners of the property and their successors in interest for private use.*

**Findings: Complies as Proposed.** The applicant submitted an aerial photo in Exhibit 2. The applicant did not propose a park, playground or other outdoor play area or open space for the subject site.

**17.65.050.C.** *Approval Criteria for a Concept Development Plan.*

**17.65.050.C.1** *The proposed Concept Development plan is consistent with the purposes of Section 17.65.*

**Findings: Complies as Proposed.** Chapter 17.65.010 of the Oregon City Municipal Code states: *"It is the intent of this Chapter to foster the growth of major institutions and other large-scale development, while identifying and mitigating the impacts of such growth on surrounding properties and public infrastructure. The City recognizes the valuable services and employment opportunities that these*



*developments bring to Oregon City residents. The master plan process is intended to facilitate an efficient and flexible review process for major developments and to provide them with the assurance they need over the long term so that they can plan for and execute their developments in a phased manner. To facilitate this, the master plan process is structured to allow an applicant to address the larger development issues, such as adequacy of infrastructure and transportation capacity, and reserve capacity of the infrastructure and transportation system before expenditure of final design costs.”*

The Master Plan is consistent with the purpose and intent statement in OCMC Chapter 17.65.010 as it identifies the growth expected on the Red Soils campus over the next twenty years.

**17.65.050.C.2** *The transportation system has sufficient capacity based on the City’s level of service standards and is capable of safely supporting the development proposed in addition to the existing and planned uses in the area, or will be made adequate by the time each phase of the development is completed.*

**Findings: Complies as Proposed.** The applicant submitted a traffic impact analysis prepared by Kittleson and Associates (Exhibit 2) discussing the transportation impacts of the proposed development. The transportation study was reviewed by John Replinger, transportation consultant for the City from Replinger and Associates (Exhibit 9) who agreed with the analysis that the proposed County's use would not create more traffic impacts than the prior use. No changes to site access or transportation related mitigation is required.

**17.65.050.C.3** *Public services for water supply, police, fire, sanitary waste disposal, and storm-water disposal are capable of serving the proposed development, or will be made capable by the time each phase of the development is completed.*

**Findings: Complies with Condition.** An analysis of the proposed impacts is provided below.

**Domestic Water.** There are existing water mains in the streets bounding the site as well as several on-site. New fire hydrants would be placed according to fire department code at the time of individual Detailed Development Plan review. The change in use would likely decrease the average demand from the building, so the existing facilities are adequate. The service line size will be reviewed by the applicant during the Detailed Development Plan reviews.

**Police Protection.** No significant police issues were identified during this Master Plan review.

**Fire Protection.** No significant fire protection issues were identified during this Master Plan review.

**Sanitary Sewer.** Adequate sanitary sewer mains exist within the public right-of-way, and there is an existing service line. During the Detailed Development Plan reviews, the applicant shall review the sanitary sewer service line size to existing sanitary sewer for new future facilities as required by plumbing code.

**Storm Water.** Stormwater facilities exist serving the public street in front of the site and the site. As there will be no increase in impervious area additional detention and treatment are not required. During the Detailed Development Plan reviews, the applicant shall address any storm water modifications required due to minor changes to the on-site parking.

Prior to disturbance of soil associated with the proposed development, the applicant shall sign a Non-Remonstrance Agreement 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.

The applicant is responsible for this project's compliance with Engineering Policy 00-01 found at <http://www.orcity.org/sites/default/files/EP00-01v6.pdf>. The policy pertains to any land use decision requiring the applicant to provide any public improvements. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 2.**

**17.65.050.C.4** *The proposed Concept Development plan protects any inventoried Goal 5 natural, historic or cultural resources within the proposed development boundary consistent with the provisions of applicable overlay districts.*

**Findings:** Please refer to the analysis in Chapter 17.49 for compliance with the Natural Resource Overlay District. There are no inventoried other Goal 5 historic or cultural resources within the development area.

**17.65.050.C.5** *The proposed Concept Development plan, including development standards and impact mitigation thresholds and improvements adequately mitigates identified impacts from each phase of development. For needed housing, as defined in ORS 197.303(1), the development standards and mitigation thresholds shall contain clear and objective standards.*

**Findings:** Please refer to the findings in 17.65.050.B.1.i of this analysis.

**17.65.050.C.6** *The proposed Concept Development Plan is consistent with the Oregon City Comprehensive Plan and its ancillary documents.*

**Findings: Complies as Proposed.** Prior approvals demonstrated compliance with the Comprehensive Plan for: Citizen Involvement, Land Use, Open Spaces, Scenic and Historic Areas and Natural Resources, Quality of Air, Water and Land Resources, Public Facilities, Civic Facilities, Transportation, Energy Conservation, and Urbanization. The addition of the Silver Oak building does not substantially change the Concept as it relates to the Comprehensive Plan. The policies identified below support the addition of the Silver Oak facility:

Policy 9.3.3- Encourage the retention and expansion of Clackamas County as a major employer inside the city.

Policy 9.3.4- Work cooperatively with Clackamas Community College, Clackamas County (for Red Soils Facility), and Willamette Falls Hospital to help facilitate their expansion and encourage master planning for future expansions.

An analysis of the proposed adjustments to the Oregon City Municipal Code is provided within this report.

**17.65.050.D** *Duration of Concept Development Plan. A Concept Development plan shall involve a planning period of at least five years and up to twenty years. An approved Concept Development plan shall remain in effect until development allowed by the plan has been completed through the detailed development plan process, the plan is amended or superseded, or the plan expires under its stated expiration date.*

**Findings: Complies as Proposed.** The General (Concept) Plan proposed envisions a 20 year view of the site from original adoption.

**17.65.060.A** *Submittal Requirements*

**Findings: Complies as Proposed.** The application was reviewed and determined to be complete.

**17.65.060.B.1** *All development standards and impact mitigation meet the requirements of the approved general development plan, including conditions of approval.*

**Findings:** Please refer to the analysis within this report.

**17.65.060.B.2** Any other applicable zoning regulations that are not addressed in the general development plan are met, unless an adjustment to those regulations has been applied for and is approved. The approval standards applicable to adjustments required as part of a master plan are contained in Section [17.65.070](#)

**Findings:** Please refer to the analysis within this report.

**17.65.060.B.3** The detailed development plan conforms with the standards contained in [Chapter 17.62](#), unless adjusted as provided in Section [17.65.070](#)

**Findings:** Please refer to the analysis within this report.

**17.65.060.C. Duration of Detailed Development Plan.** Unless substantial expenditures have been made to implement the approved detailed development plan, defined as the submittal to the city of engineered plans for approval, a detailed development plan shall expire twenty-four months from the notice of decision date. The date of final approval includes the resolution of all appeals. Upon the receipt from the applicant of a written request and payment of the required fee prior to the expiration dated of the detailed development plan, the community development director may, on a one-time basis, grant a twelve-month extension.

**Findings: Complies with Condition.** The applicant proposed alterations to the parking lot adjacent to the Silver Oak Building. The applicant shall complete all proposed development associated with this application prior to occupying the Silver Oak building for office or evidentiary storage use. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 1.**

**17.65.070 - Adjustments to development standards.**

**17.65.070.A Purpose.** In order to implement the purpose of the City's master plan process, which is to foster the growth of major institutions and other large-scale development, while identifying and mitigating their impacts on surrounding properties and public infrastructure, an applicant may request one or more adjustments to the applicable development regulations as part of the master planning process. These include, but are not limited to, items such as: dimensional standards of the underlying zone, site plan and design review criteria, residential design standards, and standards for land division approval.

**Findings: Applicable.** The applicant submitted a request for two adjustments to the Oregon City Municipal Code. An analysis of the adjustments is provided below. No other adjustments to the Oregon City Municipal Code have been requested.

**17.65.070.B Procedure.** Requests for adjustments shall be processed concurrently with a general development plan. An adjustment request at the detailed development plan review shall cause the detailed development plan to be reviewed as a Type III application.

**Findings: Complies as Proposed.** The proposed adjustments are being processed concurrent with the general development plan as a Type III application.

**17.65.070.C Regulations That May Not be Adjusted.** Adjustments are prohibited for the following items:

1. To allow a primary or accessory use that is not allowed by the regulations;
2. To any regulation that contains the word "prohibited";
3. As an exception to a threshold review, such as a Type III review process; and
4. Any exception to allow a use not identified as a permitted or conditional use in the underlying zone.

**Findings: Complies as Proposed.** The applicant has not proposed an adjustment for the use of the site or review process.

#### **Oregon City Municipal Code Adjustment #1: Fence Height**

Chapter 17.54.100.A limits the height of fences to the following:

*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 faced 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 Section 17.54.100B.*

*2. Hedges shall not be more than forty-two inches in the underlying front yard setback.*

*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.*

*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 30 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.*

*3. Fences, hedges or walls located on top of retaining walls or earth berms in excess of eight and one-half feet in height shall be setback a minimum of two feet from the edge of the retaining wall or earth berm below and shall not exceed a combined height of eight and one-half feet.*

*4. An alternative height or location requirement may be approved within a land use process for all non-single-family and two-family residential properties. The fence, hedge or wall shall be compatible with the adjacent neighborhood and achieve the same intent of the zoning designation and applicable site plan and design review process. In no case may the fence, hedge or wall exceed eight feet in height without approval of a variance.*

Previous Code:

Under the Master Plan code section 17.65.090, the applicant can choose to apply the fence height limitation in place in 2005 when the Master Plan was approved. The fence height limitation for non-single-family dwellings was created in June 2004, it previously stated in 17.54.010.A

“No fence, hedge or wall in any single-family dwelling districts shall exceed five feet in height in a front yard”. This is the code in place in 2005 when the Master Plan was approved.

Adjustment #1A for Proposed Fencing along the Southern Portion of the Silver Oak Facility:

In earlier proceedings for this application, the applicant requested approval for a 12 foot tall fence in the along the southern portion of the Silver Oak facility at 1810 Red Soils Court. The applicant withdrew this request and now seeks an adjustment to construct an 8 foot tall fence at this location.

The fence is proposed to include wrought iron infill panels with an angled top and a maximum height of eight-feet. The proposed infill panels will be articulated by alternating steel columns in two sizes (squares of two-inches, and four-inches) and include painted concrete (or CMU) rectangular columns approximately one-foot wide by twenty-three inches deep at corners and roughly 40-feet apart on the south elevation. The applicant will paint the proposed concrete columns to integrally match the building, and the wrought iron infill panels will be painted black. The proposed infill panels will be constructed from flat bar stock and round cross bars welded to one another to reduce the climb-ability.



#### Adjustment #1B for Nine Existing Fences:

The site currently has 9 fences that exceed the fence height requirement as demonstrated below and in Exhibit 14.<sup>1</sup>

Table 1  
Fence Heights of Nine Existing Fences

Existing Fence Height	Location
8 feet	Front Room – Shaver Building
8 feet	Back Room – Adjacent to CCOM and the Jail
8 feet	Back Room – Adjacent to the Jail
8 feet	Back Room – Adjacent to the Jail
8 feet	Back Room – Adjacent to the Jail
8 feet	Back Room – Adjacent to the Jail
8 feet	Back Room – Adjacent to the Jail
24 feet	Back Room – Adjacent to the Jail
24 feet	Back Room – Adjacent to Central Utility Plant

<sup>1</sup> Under OCMC 17.65.090 the applicant may rely on land use regulations in effect on the date its general development plan application was initially submitted.

The applicant does not need to apply for an adjustment for the existing chain link fencing material for all fences on Clackamas County Map 3-2E-05C, Tax Lot 812, as it was not a prohibited material when the Master Plan was submitted in 2005; thus, the applicant may choose to utilize the 2005 code when repairing or installing new fences on the tax lot, including use of chain link as a material.

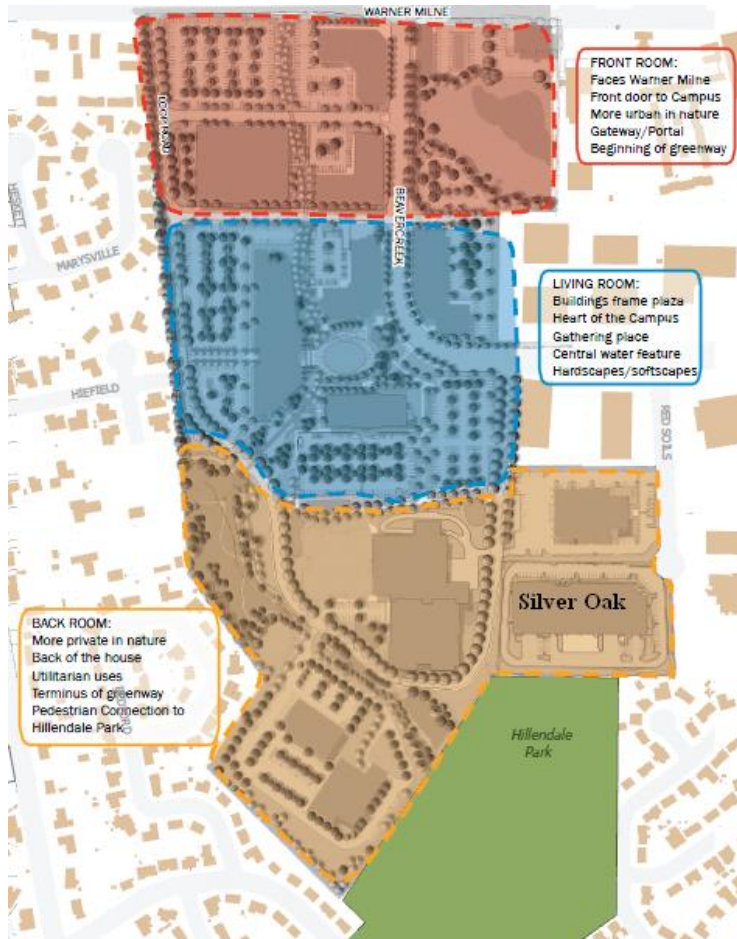
Further, the applicant does not need to apply for an adjustment for the existing chain link fencing material for all fences on Clackamas County Map 3-2E-05C, Tax Lot 807, as it was not a prohibited material when it was added to the Master Plan in 2007; thus the applicant may choose to utilize the 2007 code when repairing or installing new fences on the tax lot.

Two are 24 feet high and seven are 8 feet high. All of the fences are located in the “back room” of the site (as shown in the figure below) with the exception of the fence at the Shaver Building. The applicant requests this adjustment to waive the fence height requirement to allow these nine fences to exceed the maximum fence height onsite (identified on page 63 of the Master Plan). If the adjustment is granted, the applicant may be allowed to remove and replace these fences in the exact existing locations at the heights described above and shown in Exhibit 14.

**17.65.71.D.1.** *Granting the adjustment will equally or better meet the purpose of the regulation to be modified;*

**Finding: Complies with Conditions.** Though not specifically explained in the code, the purpose of limiting fence height is to provide a visual connection between development and the street, enhancing aesthetics of Oregon City through the creation of attractively designed streetscapes, improving public safety by providing "eyes on the street" and promoting community interaction.

The previous Master Plan and Conditional Use approvals for the subject site divided the property into three areas: the front room, living room and back room. Areas closer to Warner Milne (front and living rooms) are designed to promote public interaction with the street and plazas while the back room is designed to limit public interaction and access to facilitate an Adult Detention facility, Juvenile Detention facility, C-COM and other law enforcement related activities.



Adjustment #1A Proposed Fence at the Silver Oak Facility:



The proposed fence at the Silver Oak facility is located within the back room of the Red Soils campus and is not visible from the public right-of-way. As the back room is not intended to be available to the public, allowing the fences to exceed the height limit equally meets the purpose of the regulation because, due to the location in the back room, there is no “community interaction” in those areas. The purpose of the back room of the site is to provide an area that ensures public safety in light of the law enforcement uses. Part of the public safety protocol is to allow adequate fence height to fortify the detention facilities.

Notably, at the December 10, 2012, Planning Commission hearing, the Planning Commission asked the applicant to provide additional information indicating its justification for a 12 foot tall fence (the original fence height proposed) provide a secure Silver Oak facility. In response to the Planning Commission’s request, the applicant provided a variety of information and revised its request to construct an 8 foot tall fence rather than a 12 foot tall fence (Exhibit 12).

As the proposed fence is located on the edge of the campus, adjacent to a park, the applicant has additionally proposed to install a high quality material - wrought iron , and a significant amount of landscaping in order to provide visual relief and interest. These materials and landscape will better meet the requirements of connectivity, and aesthetic and visual interest for the public as viewed from the park.

#### Adjustment #1B for Nine Existing Fences:

The applicant proposed an adjustment to waive the fence height requirement for existing fences onsite (identified below and on page 63 of the Master Plan). If this adjustment is approved, the applicant could replace the nonconforming fences with a new fence of the same height without pursuing a determination that the fence is legally nonconforming and the removal of the fence is intentional destruction. The applicant would not be permitted to relocate the nonconforming fences or install additional nonconforming fences and thus as the property develops over time, a majority of the nonconforming fences will be removed.

The fences are constructed in association with the uses approved in the 2005 Master Plan. Seven of the fences are constructed in association with the Adult Detention Facility, one in association with a Sheriff building (Shaver) and one fence was constructed in association with the Central Utility Plant. The Master Plan approved the room concept with the idea that the back room is designed to limit public interaction and access to facilitate an Adult Detention facility, Juvenile Detention facility, C-COM and other law enforcement related activities. The fence at the Shaver building is located behind the existing structure and supports the current use of the building for the Sheriff’s department.

Staff recommends the following for the proposed adjustments:

#### Adjustment #1A Proposed Fence at the Silver Oak Facility:

- The Planning Commission approve Adjustment #1A to construct a new 8 foot tall wrought iron fence at the Silver Oak facility.
- The proposed fence along the south side of the Silver Oak facility shall be located no more than 2 feet south of the existing curb adjacent to the drive aisle on the south side of the parking lot. The proposed fence along the west side of the Silver Oak facility shall be located no more than 2 feet west of the existing curb adjacent to the drive aisle on the west side of the parking lot. All existing landscaping removed to construct the fence shall be replaced along the fence.
- The applicant shall install all proposed landscaping (Exhibit 12) within 3 months of initiating construction of the proposed development onsite.
- The applicant shall not remove any of the existing trees.

#### Adjustment #1B for Nine Existing Fences:

- The Planning Commission approve Adjustment #1B to allow the removal and replacement of the existing nine fences identified on page 63 of the Master Plan in the exact existing locations at the heights described in Table 1 and shown in Exhibit 14.
- The applicant shall plant vegetation as needed to visually obstruct replacements of existing fencing from the right-of-way or adjoining properties.
- The applicant shall install all proposed landscaping (Exhibit 12) within 3 months of initiating construction of the proposed development onsite.
- The applicant shall not remove any of the existing trees.

**Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with conditions of approval 3 and 4.**

**17.65.71.D.2.** *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project that is still consistent with the overall purpose of the zone;*

**Finding: Not Applicable.** The City staff considers the applicant's request as a single adjustment to the fence height standard. The 1A and 1B titles of the adjustments are for purposes of distinguishing between groups of fences. Therefore, this standard is not applicable because the applicant has only proposed a single adjustment. To the extent this could be considered as multiple adjustments, the City still concludes that the cumulative effects are consistent with the overall purpose of the zone.

**17.65.71.D.3.** *City-designated Goal 5 resources are protected to the extent otherwise required by Title 17;*

**Finding: Not Applicable.** The site is not within a historic district nor designated as an individually designated historic structure. A portion of the site is within the Natural Resource Overlay District; nonetheless, fence height will not affect a goal 5 resources onsite.

**17.65.71.D.4.** *Any impacts resulting from the adjustment are mitigated;*

**Finding: Complies with Condition.** The purpose of limiting fence height is to provide a visual connection between development and the street, enhancing Oregon City through the creation of attractively designed streetscapes, improving public safety by providing "eyes on the street" and promoting community interaction. The fence height adjustment would be mitigated with the following:

Adjustment #1A Proposed Fence at the Silver Oak Facility:

- **Location.** The proposed fence at the Silver Oak facility is located within the back room of the Red Soils campus and is not visible from the public right-of-way. The Master Plan identified the purpose of the back room to ensure public safety with law enforcement related activities and limit public access.
- **Landscaping.** As demonstrated in Exhibit 12, a variety of vegetation currently exists between the subject site and the abutting properties. In order to enhance the pedestrian experience for the public at the adjacent park and add visual interest, the applicant proposed to install a variety of trees, shrubs and groundcover.
- **Materials.** The applicant proposed to install a wrought iron fence with an angled top. The infill panels would be articulated by alternating steel columns in two sizes (squares of two-inches, and four-inches) and painted concrete (or CMU) rectangular columns approximately one-foot wide by twenty-three inches deep at corners and roughly 40-feet apart on the south elevation. The concrete columns would be painted to integrally match the building and the wrought iron infill panels would be painted black. The proposed infill panels are constructed from flat bar stock and round cross bars welded to one another to reduce the climb-ability.

Adjustment #1B Nine Existing Fences:



- Location. Much of the fencing that exceeds the maximum fence height requirement is located in back room of the site and is thus not visible from the public right-of-way. The back room of the site was designated in the Master Plan for law enforcement related activities including a jail, where tall fences are assumed to be constructed for public safety and are not as visible from the public right-of-way.
- Implementation of the Master Plan. If approved, existing fences may be repaired and replaced with the same height fence. The applicant would not be permitted to relocate the fences or install additional fences.
- Landscaping. The applicant indicated that landscaping is or will be placed to disguise the fencing as needed. A map for the existing fencing and pictures throughout the site demonstrate the level of visibility of the existing fences. The installation of additional vegetation will provide a visual barrier and a more pedestrian-oriented scaled environment for locations where the existing fencing may be replaced or repaired.

**Staff has determined it is possible, likely and reasonable the applicant can meet this standard by following the Staff recommendations in the finding for subsection D.1 above, and complying with conditions of approval 3 and 4.**

**17.65.71.D.5.** *If an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.*

**Finding: Complies as Proposed.** A portion of the Master Plan property is within the Natural Resource Overlay District and Geologic Hazards Overlay District. It is not anticipated that the proposed adjustment would negatively affect the overlays, as the applicant has not requested an adjustment to an overlay standard.

**17.65.71.D.6.** *The proposed adjustment is consistent with the Oregon City Comprehensive Plan and ancillary documents.*

**Finding: Complies with Condition.** An adjustment to allow fence height in excess of the requirements identified within the Oregon City Municipal Code is consistent with the goals and policies of the Comprehensive Plan. The goals and policies of Chapter 14 of the Comprehensive Plan are intended to ensure that the city grows in ways that result in high-quality development, and at the same time protect and enhance the livability of the city. The above-described mitigations (wrought iron material, fence location, existing and proposed landscaping, and compliance with the room designations of the approved Master Plan) will result in a high-quality development and comply with the previously approved Master Plan that anticipated how the back room would develop, with deviation from standards that apply to areas adjacent to public rights of way. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by following the Staff recommendations in the finding for subsection D.1 above, and complying with condition of approval 12.**

#### **CHAPTER 17.49 NATURAL RESOURCE OVERLAY DISTRICT**

**Findings: Not Applicable.** A portion of the Master Plan site is mapped within the City of Oregon City Natural Resource Overlay District. The proposed development is not within the NROD boundary and is not subject to compliance with Chapter 17.49 of the Oregon City Municipal Code.

#### **CHAPTER 17.41 TREE PROTECTION STANDARDS**

The applicant proposed to change the use of the Silver Oaks facility, as well as install fencing and landscaping. The following analysis for the Detailed Development Plan is limited to the aforementioned construction.

**17.41.020 Tree Protection – Applicability.**

**Finding: Complies.** The proposed development within the “MUE” Mixed Use Employment District and is subject to this standard.

**17.41.040 – Tree Protection – 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. Additionally, these standards are not intended to regulate farm and forest practices as those practices,*

**Finding: Not Applicable.** The applicant has not proposed to alter any trees within the Natural Resource Overlay District boundary.

**17.41.050 Tree Protection – Compliance Options.**

**Finding: Not Applicable.** The development proposal did not include any tree removal.

**17.41.060 - Tree Removal and Replanting - Mitigation (Option 1).**

**Finding: Not Applicable.** The development proposal did not include any tree removal.

**17.41.070 – Planting Area Priority for Mitigation (Option 1).**

*Development applications which opt for removal of trees with subsequent replanting pursuant to section 17.41.050(A) and shall be required to mitigate for tree cutting by complying with the following priority for replanting standards 1-4.*

**Finding: Not Applicable.** The development proposal did not include any tree removal.

**17.41.075. Alternative Mitigation Plan.**

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

**17.41.080. Tree Preservation within Subdivisions and Partitions – Dedicated Tract (Option 2).**

**Finding: Not Applicable.** The development proposal did not include any tree removal.

**17.41.090. Density transfers incentive for Tree Protection Tracts (Option 2).**

**Finding: Not Applicable.** The development proposal did not include any tree removal.

**17.41.100. Permitted Modifications to Dimensional Standards (Option 2 Only).**

**Finding: Not Applicable.** The development proposal did not include any tree removal.

**17.41.110. Tree Protection by Restrictive Covenant (Option 3).**

**Finding: Not Applicable.** The development proposal did not include any tree removal.

**17.41.120. Permitted Adjustments (Option 3 Only).**

**Finding: Not Applicable.** The development proposal did not include any tree removal.

**17.41.130. Regulated Tree Protection Procedures During Construction.**

**Finding: Complies with Condition.** The applicant proposed to employ an arborist during the fence installation at the Silver Oak building to recommend any necessary pruning or excavating procedures for locations where the fence is within the canopy of existing trees. The extent to which the trees and shrubs onsite would need to be altered is unknown. Once an arborist reviews the proposed development, it is likely a detailed analysis of the vegetation disturbance onsite can be created. Prior to disturbance of soil associated with the proposed development at the Silver Oak Building, the applicant shall submit documentation displaying compliance with the tree protection standards in OCMC Chapter 17.41.130 of the Oregon City Municipal Code. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 6.**

## **CHAPTER 17.52 OFF –STREET PARKING AND LOADING**

The applicant proposed to change the use of the Silver Oaks facility, as well as install landscaping within the parking lot. The following analysis for the Detailed Development Plan is limited to the aforementioned construction.

### ***17.52.020.A – Number of Spaces Required***

*The construction of a new structure or at the time of enlargement or change in use of an existing structure within any district in the city, off-street parking spaces shall be provided in accordance with this section.*

	<u>Minimum</u>	<u>Maximum</u>
Red Soils Campus Parking	2,053 stalls	2,996 stalls

**Finding: Complies as Proposed.** The applicant submitted an itemized list of the uses within the Master Plan and associated parking requirements in Appendix F of the Master Plan (Exhibit 2). The existing Silver Oak site contains 109 parking stalls, which the applicant proposes to reduce to 90 stalls through the installation of additional parking lot landscaping and turn-around areas. Of the 90 parking stalls, 28 will be located behind the proposed fencing and are thus not available to the public per OCMC 17.52.020.A.4, leaving 62 available parking stalls for the public. The inclusion of the Silver Oak facility would result in 2,541 parking stalls, exceeding the minimum requirement of 2,053 and less than the maximum of 2,996 parking stalls.

***17.52.020.A.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 applicant submitted an itemized list of the multiple uses within the Master Plan and associated parking requirements in Appendix F of the Master Plan (Exhibit 2).

### ***17.52.020.A.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 applicant submitted an itemized list of the uses within the Master Plan and associated parking requirements in Appendix F of the Master Plan (Exhibit 2).

### ***17.52.020.A.3.***

*Where calculation in accordance with the following 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.** The applicant utilized the rounding techniques identified in this Chapter.

### ***17.52.020.A.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 trucks used in conducting the business or use.*

**Finding: Complies with Condition.** The applicant did not respond to this section. The applicant submitted a site plan with parking counts and demands for the subject site in Appendix F of the Master Plan (Exhibit 2). The applicant identified 2,541 parking stalls, but did not identify if 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 trucks used in conducting the business or use. Prior to disturbance of soil associated with the proposed development, the applicant shall submit documentation for the Red Soils campus indicating 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 trucks used in conducting the business or use. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 7.**

**17.52.020.A.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 or new construction in the district are required to meet the minimum parking requirements in Table 17.52.020.*

**Finding: Not Applicable.** The proposed development does not include a change in use within the Mixed Use Downtown District.

**17.52.020.B. Reduction of the Number of Automobile Spaces Required.**

*Reduction of the Number of Automobile Spaces Required. The required number of parking stalls may be reduced if one or more of the following is met:*

*1. Transit Oriented Development. The community development director may reduce the required number of parking stalls up to ten percent when it is determined that a commercial business center or multi-family project is adjacent to or within one thousand feet of an existing or planned public transit. Also, if a commercial center is within one thousand feet of a multi-family project, with over eighty units and pedestrian access, the parking requirements may be reduced by ten percent.*

**Finding: Complies as Proposed.** The applicant previously received a parking reduction in the parking stalls due to transit oriented development.

*2. Transportation Demand Management.*

**Finding: Not Applicable.** The applicant did not request a reduction in the parking stalls due to transportation demand management. The analysis did not discuss a reduced parking demand due to alternative modes of transportation or a strategy to reduce parking onsite.

*3. Shared Parking.*

**Finding: Not Applicable.** The applicant did not request a reduction in the parking stalls due to shared parking.

*4. Reduction in Parking for Tree Preservation.*

**Finding: Not Applicable.** The applicant did not request a reduction in the parking stalls for tree preservation.

*5. On-Street Parking.*

**Finding: Not Applicable.** The applicant did not request a reduction in the parking stalls for on-street parking.

**17.52.030 - Design review.**

**17.52.030.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: Not Applicable.** The applicant has not proposed an alteration to ingress or egress onsite.

**17.52.030.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 storm water and low impact development design standards are encouraged.*

**Finding: Not Applicable.** The applicant has not proposed to alter any parking lot surface with this application.

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

**Finding: Not Applicable.** There are existing stormwater facilities and no new facilities are proposed.

**17.52.030.D. Dimensional Requirements.**

**Finding: Not Applicable.** The development proposal does not include creating a new parking stall or altering the configuration of an existing parking stall.

**17.52.030.E Carpool and vanpool parking.**

*New office and industrial developments with seventy-five or more parking spaces, and new hospitals, government offices, 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 handicapped parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only."*

**Finding: Complies as Proposed.** The applicant indicated that 5 of the 90 parking stalls (5/90= 5.5%) adjacent to the building entrance on the Silver Oak site would be designated for carpools and vanpools adjacent to the building entrance.

**17.52.040 Bicycle parking**

**17.52.040.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.*

**Finding: Applicable.** The proposed development is subject to the bicycle parking standards in OCMC 17.52.040.

**17.52.040.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.*

**Finding: Complies as Proposed.** The applicant provided an analysis of the bicycle parking requirements in Appendix E of the applicant's submittal. The campus contains 89 bicycle parking spaces including those within the Silver Oak site, exceeding the minimum requirement of 75 spaces.

**17.52.040.C.**

**Finding: Not Applicable.** The applicant displayed the location of the bicycle parking at the Silver Oak Building adjacent to the main entranceway on the northeastern corner of the facility and on the north side of the building. The applicant has not proposed to alter the bicycle parking with the proposed development.

*D. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored 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 convenience.*

**Finding: Not Applicable.** The applicant has not proposed to alter the bicycle parking with the proposed development.

**17.52.060 Parking lot landscaping.**

**17.52.060.A.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 applicant submitted a landscaping plan prepared by a landscape architect displaying additional interior and perimeter parking lot landscaping for the Silver Oak building.

**17.52.060.A.2.** *All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.*

**Finding: Complies as Proposed.** The applicant proposed to install additional landscaping onsite within the interior of the parking lot. All areas not used for parking, maneuvering, and circulation are landscaped.

**17.52.060.A.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 applicant submitted a site plan showing a mix of existing deciduous and coniferous trees throughout the site.

**17.52.060.A.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 applicant proposed to plant 2" caliper trees within the parking lot. The tree species have been approved by a landscape architect.

**17.52.060.A.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.** There is an existing irrigation system on site.

**17.52.060.A.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 as Proposed.** The applicant submitted a landscape plan prepared by a landscape architect which complied with these standards.

**17.52.060.A.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 applicant proposed to install additional landscaping within the interior and perimeter of the parking lot associated with the Silver Oak building. The location of the plantings and the context of the site at the end of the cul-de-sac precludes landscaping from obstructing traffic views.

**17.52.060.A.8.** *Landscaping shall incorporate design standards in accordance with Chapter 13.12, Stormwater Management.*

**Finding: Complies with Condition.** The applicant indicated that the proposed plan complies with this criterion but did not provide additional information. Prior to installation of landscaping, the applicant shall provide documentation demonstrating that new landscaping complies with OCMC Chapter 13.12. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 8.**

**17.52.060.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 with Condition.** The perimeter parking lot landscaping does not comply with the standards identified in this criterion. The applicant proposed to install additional landscaping to upgrade the perimeter of the parking lot with additional trees, shrubs and groundcover at the spacing requirements identified to being the site in greater compliance to this standard. The applicant proposed to install a fence around the Silver Oak facility. In order to maintain vegetation between the pedestrian accessway and the fence and minimize vegetation removal adjacent to the pedestrian accessway, the proposed fence along the south side of the Silver Oak facility shall be located no more than 2 feet south of the existing curb adjacent to the drive aisle on the south side of the parking lot. The proposed fence along the west side of the Silver Oak facility shall be located no more than 2 feet west of the existing curb adjacent to the drive aisle on the west side of the parking lot. All existing landscaping removed to construct the fence shall be replaced along the fence. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 3.**

**17.52.060.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 with Conditions.** The applicant proposed to install groundcover between the building and the parking lot. The plan does not comply with this criterion which requires installation of shrubs and trees as well. Prior to installation of landscaping, the applicant shall provide documentation demonstrating the locations where alterations to the parking area/building buffer landscaping are proposed comply with OCMC 17.52.060.C.

The applicant proposed to install a fence around the Silver Oak facility. In order to maintain vegetation between the pedestrian accessway and the fence and minimize vegetation removal adjacent to the pedestrian accessway, the proposed fence along the south side of the Silver Oak facility shall be located no more than 2 feet south of the existing curb adjacent to the drive aisle on the south side of the parking lot. The proposed fence along the west side of the Silver Oak facility shall be located no more than 2 feet west of the existing curb adjacent to the drive aisle on the west side of the parking lot. All existing landscaping removed to construct the fence shall be replaced along the fence. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 3 and 9.**

**17.52.060.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 with Condition.** The applicant proposed to install new interior parking lot landscaping islands, but has only proposed to install groundcover within the islands. The plan does not comply with this criterion which requires shrubs and trees to be installed within the interior parking lot landscaping. Prior to installation of landscaping, the applicant shall provide documentation demonstrating the locations where alterations to the interior parking lot landscaping are proposed comply with OCMC 17.52.060.D.

The applicant proposed to install a fence around the Silver Oak facility. In order to maintain vegetation between the pedestrian accessway and the fence and minimize vegetation removal adjacent to the pedestrian accessway, the proposed fence along the south side of the Silver Oak facility shall be located no more than 2 feet south of the existing curb adjacent to the drive aisle on the south side of the parking lot. The proposed fence along the west side of the Silver Oak facility shall be located no more than 2 feet west of the existing curb adjacent to the drive aisle on the west side of the parking lot. All existing landscaping removed to construct the fence shall be replaced along the fence. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 10 and 11.**

**17.52.070 Alternative landscaping plan.**

**Finding: Not Applicable.** The applicant has not proposed 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.** Clackamas County will maintain the site.

#### **CHAPTER 17.62 SITE PLAN AND DESIGN REVIEW**

The applicant proposed to change the use of the Silver Oaks facility, as well as install fencing and landscaping. The following analysis for the Detailed Development Plan is limited to the aforementioned construction.

##### **17.62.050 Standards.**

**17.62.050.A.1.** *All development shall comply with the following standards:*

*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 with Condition.** The applicant submitted a landscape plan indicating that 22% of the site is landscaped. The plan included planting new vegetation and retaining the existing vegetation onsite. The applicant proposed to install a fence around the Silver Oak facility. In order to maintain vegetation between the pedestrian accessway and the fence and minimize vegetation removal adjacent to the pedestrian accessway, the proposed fence along the south side of the Silver Oak facility shall be located no more than 2 feet south of the existing curb adjacent to the drive aisle on the south side of the parking lot. The proposed fence along the west side of the Silver Oak facility shall be located no more than 2 feet west of the existing curb adjacent to the drive aisle on the west side of the parking lot. All existing landscaping removed to construct the fence shall be replaced along the fence. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 3.**

**17.62.050.A.1.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: Not Applicable.** The applicant did not request a reduction in landscaping.

**17.62.050.A.1.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:** Please refer to the analysis in OCMC 17.49 of this report.

**17.62.050.A.1.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.*

**Finding: Complies with Condition.** The applicant submitted a landscape plan prepared by a landscape architect for the Silver Oak Building. The plan included a mix of trees, shrubs and groundcover which would cover 100% of the landscape area within 3 years.

The applicant indicated that 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 but did not identify the proposed landscaping complies with this criterion. Prior to installation of landscaping, the applicant shall provide documentation demonstrating that for the proposed landscaping, 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. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 11.**

**17.62.050.A.1.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.*

**Finding: Not Applicable.** The site is not within the Downtown Design District.

**17.62.050.A.1.e.** *Landscaping shall be visible from public thoroughfares to the extent practicable.*

**Finding: Complies as Proposed.** The existing and proposed landscaping is distributed throughout the site and is visible from the right-of-way.

**17.62.050.A.1.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 applicant indicated that the interior parking lot landscaping is not counted toward the 15% minimum site landscaping.

**17.62.050.A.2.** *Vehicular Access and Connectivity.*

**17.62.050.A.2.a.** *Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.*

**Finding: Not Applicable.** The applicant did not propose to alter the location of the parking stalls onsite. The configuration of the existing parking lot includes parking stalls located all around the building. The site is thus nonconforming and subject to compliance with the requirements of OCMC 17.58 of the Oregon City Municipal Code.

**17.62.050.A.2.b.** *Ingress and egress locations on public thoroughfares shall be located in the interest of public safety. Access for emergency services (fire and police) shall be provided.*

**Finding: Not Applicable.** The applicant has not proposed to alter the ingress/egress for the parking lot from Red Soils Court.

**17.62.050.A.2.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.** The subject site is within the “MUE” Mixed Use Employment District.

**17.62.050.A.2.d.** *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.*

**Finding: Not Applicable.** The site is not a corner lot.

**17.62.050.A.2.e.** *Sites abutting an alley shall be required to gain vehicular access from the alley.*

**Finding: Not Applicable.** The subject site does not abut an alley.

**17.62.050.A.2.f.** *Where no alley access is available, the development shall be configured to allow only one driveway per frontage. Shared driveways shall be required as needed to accomplish the requirements of this section. The driveway shall be located to one side of the lot and away from the center of the site. The location and design of pedestrian access from the public 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.** No changes are proposed to pedestrian and vehicular access.

**17.62.050.A.2.g.** *Development of large sites (more than two acres) shall be required to provide existing or future connections to adjacent sites through the use of a vehicular and pedestrian access easements where applicable.*

**Finding: Complies as Proposed.** The Master Plan identified a system of vehicular and pedestrian connections throughout the site.

**17.62.050.A.2.h.** *Parking garage entries (both individual, private and shared parking garages) 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.** The applicant has not proposed to construct a parking garage in this application.

**17.62.050.A.2.i.** *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.** The applicant has not proposed to construct a structured parking lot with this application.

**17.62.050.A.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.*

**Finding: Not Applicable.** The applicant has not proposed any exterior alterations to the buildings within the Master Plan boundary.

**17.62.050.A.4.** *This standard requires that grading shall be in accordance with the requirements of Chapter 15.48 and the public works stormwater and grading design standards.*

**Finding: Not Applicable.** The existing site is already fully developed, and no additional grading is required.

**17.62.050.A.5.** *This section requires that development subject to the requirements of the Geologic Hazard overlay district shall comply with the requirements of that district.*

**Finding: Not Applicable.** The subject site is not within the Geologic Hazards Overlay District.

**17.62.050.A.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: Not Applicable.** There are existing stormwater facilities that adequately serve the site. No new facilities are proposed with this application.

**17.62.050.A.7.** *This standard requires the development shall comply with City's parking standards as provided in Chapter 17.52.*

**Finding:** Please refer to the analysis in Chapter 17.52 of this report.

**17.62.050.A.8.** *This section requires that sidewalks and curbs shall be provided in accordance with the city's standards.*

**Finding: Complies as Proposed.** There are existing sidewalks and curbs onsite. No new sidewalks or curbs are proposed with this application.

**17.62.050.A.9.**

**Finding: Complies as Proposed.** The applicant did not propose any changes to the pedestrian circulation onsite. The pedestrian circulation system for the Red Soils campus provides a connection between all building entrances and each other as well as the street.

**17.62.050.A.10.** *This standard requires adequate means to ensure continued maintenance and necessary normal replacement of 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 agencies.*

**Finding: Complies as Proposed.** Clackamas County will maintain the site.

**17.62.050.A.11.** *This standard requires that site planning shall conform to the requirements of Oregon City Municipal Code Chapter 17.41—Tree Protection.*

**Finding:** Please refer to the analysis in Chapter 17.41 of this report.

**17.62.050.A.12.** *This standard requires compliance with the Natural Resource Overlay District when applicable.*

**Finding:** Please refer to the analysis in Chapter 17.49 of this report.

**17.62.050.A.13.** *This standard requires that all development shall maintain compliance with applicable Federal, State, and City standards pertaining to air, water, odor, heat, glare, noise and vibration, outdoor storage, and toxic material.*

**Finding: Complies as Proposed.** The applicant indicated compliance with this standard.

**17.62.050.A.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 off-site 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: Complies as Proposed.** The site is currently adequately served by public water and sanitary facilities.

**17.62.050.A.15.** *This standard requires that all traffic related impacts should be mitigated. The traffic mitigation elements may include adequate right-of-way improvements, pedestrian ways, and bike routes. The proposal shall demonstrate consistency with the Oregon City Transportation System Plan (TSP).*

**Finding:** Please refer to the analysis in OCMC Chapter 17.65.050.B.1.i of this report.

**17.62.050.A.16.** *If Tri-Met, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, bus landing pad or transit stop*

*connection be constructed at the time of development, the review authority shall require such improvement, using designs supportive of transit use.*

**Finding: Complies as Proposed.** Transit operates on nearby Beavercreek Road, which is served by Tri-Met. No transit related improvements were proposed or required.

**17.62.050.A.17.** *This standard requires that all utilities shall be placed underground.*

**Finding: Not Applicable.** No changes to the utilities are proposed or required. The existing utilities are underground.

**17.62.050.A.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 Building Division will review the proposal for compliance with applicable building codes upon submission of a building permit application.

**17.62.050.A.19.** *This standard requires minimum densities for residential developments.*

**Finding: Not Applicable.** This project is not a residential development.

**17.62.050.A.20.** *Screening of Mechanical Equipment:*

**Finding: Not Applicable.** The applicant did not propose to install mechanical equipment with the proposed development.

**17.62.050.A.21.** *Building Materials.*

**Finding: Complies as Proposed.** The applicant has not proposed any exterior alterations to a building, but has proposed to construct CMU and wrought iron fence. The proposed building materials are not identified as prohibited.

**17.62.050.A.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.*

**Finding: Complies with Condition.** As demonstrated within this report, the proposal will comply with the standards of the Oregon City Municipal Code with conditions. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 12.**

**17.62.055** - *Institutional and commercial building standards.*

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

**Finding: Applicable.** The subject site is developed as a campus for Clackamas County within the Mixed Use Employment District.

**17.62.055.C.** *Relationship between zoning district design standards and requirements of this section.*

**Finding:** The Silver Oak building was constructed prior to adoption of this standard and does not comply with this criterion. Although the applicant has not proposed to construct a building or addition with the proposed development, the site is nonconforming and is thus subject to compliance with OCMC chapter 17.58 Nonconforming Uses, Structures and Lots. The applicant proposed to install additional parking lot landscaping which would bring the nonconforming site into greater conformity. The analysis is provided in OCMC 17.58 of this report.

**17.62.055.D.1 Relationship of Buildings to Streets and Parking.**

**Finding: Not Applicable.** The Silver Oak building was constructed prior to adoption of this standard and does not comply with this criterion. No building additions are proposed with this development.

**17.62.055.E Corner Lots.**

**Finding: Not Applicable.** The applicant has not proposed to construct a building with this development.

**17.62.055.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: Not Applicable.** The Silver Oak building was constructed prior to adoption of this standard and does not comply with this criterion. No building additions are proposed with this development.

**17.62.055.G. Variation in Massing.**

*A single, large, dominant building mass shall be avoided in new buildings and, to the extent reasonably feasible, in development projects involving changes to the mass of existing buildings.*

**Finding: Not Applicable.** The Silver Oak building was constructed prior to adoption of this standard and does not comply with this criterion. No building additions are proposed with this development.

**17.62.055.H Minimum Wall Articulation.**

**Finding: Not Applicable.** The Silver Oak building was constructed prior to adoption of this standard and does not comply with this criterion. No changes to the exterior of the building are proposed with this development.

**17.62.055.I. Facade Transparency.**

**Finding: Not Applicable.** The Silver Oak building was constructed prior to adoption of this standard and does not comply with this criterion. No changes to the exterior of the building are proposed with this development.

**17.62.055.J Roof Treatments.**

**Finding: Not Applicable.** The Silver Oak building was constructed prior to adoption of this standard and does not comply with this criterion. No changes to the exterior of the building are proposed with this development.

**17.62.055.K Drive-through facilities shall:**

- 1. Be located at the side or rear of the building.*
- 2. Be designed to maximize queue storage on site.*

**Finding Not Applicable.** The proposed development does not include the installation of a drive through facility.

**17.62.065 Outdoor Lighting**

**17.62.065 .B Applicability.**

**Finding: Not Applicable.** The development proposal does not include alterations to lighting onsite.

**17.62.080 Special Development along Transit Streets**

**17.62.080.B. Applicability.** *Except as otherwise provided 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:** Though the abutting right-of-way is not designated as a transit street, Tri-Met route 33 runs along the abutting portion of Beavercreek Road. The applicant has not proposed to construct a new building or exterior alterations to existing buildings onsite. The Silver Oak building was constructed prior to adoption of this standard and does not comply with this criterion. Although the applicant has not proposed to construct a building or addition with the proposed development, the site is nonconforming and is thus subject to compliance with OCMC chapter 17.58 Nonconforming Uses, Structures and Lots. The applicant proposed to install additional parking lot landscaping which would bring the nonconforming site into greater conformity. The analysis is provided in OCMC 17.58 of this report.

**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.*

**Finding: Not Applicable.** There is an existing enclosure for refuse and recycling on site. No changes are proposed to this enclosure.

**Chapter 12.04 STREETS, SIDEWALKS AND PUBLIC PLACES**

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

**Finding: Complies as Proposed.** The adjacent right-of-way is under the jurisdiction of Oregon City.

**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: Not Applicable.** No new streets are proposed with this development.

**12.04.020** *Construction specification – unimproved streets*

**Finding: Not Applicable.** The site does not abut an unimproved street.

**12.04.025** *Street design – Curb cuts*

**Finding: Not Applicable.** The applicant has not proposed to alter a curb cut onsite.

**12.04.030** – *Maintenance and repair*

*The owner of land abutting the street where a sidewalk has been constructed shall be responsible for maintaining said sidewalk and abutting curb, if any, in good repair.*

**Finding: Complies.** The applicant is subject to compliance with OCMC Chapter 12.04.

**12.04.031** *Liability for sidewalk injuries*

A. *The owner or occupant of real property responsible for maintaining the adjacent sidewalk shall be liable to any person injured because of negligence of such owner or occupant in failing to maintain the sidewalk in good condition.*

B. *If the city is required to pay damages for an injury to persons or property caused by the failure of a person to perform the duty that this ordinance imposes, the person shall compensate the city for the amount of the damages paid. The city may maintain an action in a court of competent jurisdiction to enforce this section.*

**Finding: Complies.** The applicant is subject to compliance with OCMC Chapter 12.04.

#### **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.** The applicant has not proposed and is not required to repair a sidewalk with this development review.

#### **12.04.033** *city may do work*

*If repair of the sidewalk is not completed within ninety days after the service of notice, the public works director shall carry out the needed work on the sidewalk. Upon completion of the work, the public works director shall submit an itemized statement of the cost of the work to the finance director. The city may, at its discretion, construct, repair or maintain sidewalks deemed to be in disrepair by the public works director for the health, safety and general welfare of the residents of the city.*

**Finding: Not Applicable.** The City has not proposed to do sidewalk repairs with this development.

#### **12.04.034** *Assessment of costs*

*Upon receipt of the report, the finance director shall assess the cost of the sidewalk work against the property adjacent to the sidewalk. The assessment shall be a lien against the property and may be collected in the same manner as is provided for in the collection of street improvement assessment.*

**Finding: Not Applicable.** The City has not proposed to do sidewalk repairs with this development.

#### **12.04.040** *Streets - Enforcement*

*Any person whose duty it is to maintain and repair any sidewalk, as provided by this Chapter, and who fails to do so shall be subject to the enforcement procedures of Chapters 1.16, 1.20 and 1.24. Failure to comply with the provisions 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: Not Applicable.** The subject site is not under enforcement action at this time.

#### **12.04.045** *Street design – Constrained local streets and/or rights-of-way*

**Finding: Not Applicable.** No constrained streets are proposed or required.

#### **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.** The applicant did not propose to install a retaining wall in the public right-of-way. Future retaining walls within the right-of-way are subject to compliance with this standard.

**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.** The applicant did not propose to install a retaining wall in the public right-of-way.

**12.04.070- Removal of sliding dirt.**

*It shall be the duty of the owner of any property as mentioned in Section 12.04.050, and in case the owner is a nonresident, then the agent or other person in charge of the same, to remove from the street or sidewalk or both as the case may be, any and all earth or dirt falling on or sliding into or upon the same from the property, and to build and maintain in order at all times, the retaining wall as herein required; and upon the failure, neglect or refusal of the land owner, the agent or person in charge of the same to clean away such earth or dirt, falling or sliding from the property into the street or upon the sidewalk, or both, or to build the retaining wall, shall be deemed guilty of a misdemeanor.*

**Finding: Not Applicable.** The applicant has not proposed and is not required to remove sliding dirt with this application.

**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: Complies.** The applicant is subject to compliance with OCMC Chapter 12.04.

**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: Not Applicable.** The applicant is subject to compliance with OCMC Chapter 12.04.

**12.040.095 - Street Design—Curb Cuts.**

*To assure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents*

**Finding: Not Applicable.** There is an existing curb cut and no others are anticipated.

**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: Applies.** The applicant is subject to this standard but no excavations are proposed.

**12.04.110 - Excavations—Nuisance—Penalty.**

*Any excavation 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: Not Applicable.** The applicant has not proposed an excavation with this development.

**12.04.120 - Obstructions—Permit required.**

**Finding: Not Applicable.** The applicant has not proposed an obstruction within the right-of-way.

**12.04.130 - Obstructions—Sidewalk sales.**

A. *It is unlawful for any person to use the public sidewalks of the city for the purpose of packing, unpacking or storage of goods or merchandise or for the display of goods or merchandise for sale. It is permissible to use the public sidewalks for the process of expeditiously loading and unloading goods and merchandise.*

B. *The city commission may, in its discretion, designate certain areas of the city to permit the display and sale of goods or merchandise on the public sidewalks under such conditions as may be provided.*

**Finding: Not Applicable.** The applicant has not proposed a sidewalk sale with this development.

**12.04.140 - Obstructions—Nuisance—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: Complies.** The applicant is subject to compliance with OCMC Chapter 12.04.

**12.04.150 - Street and alley vacations—Cost.**

*At the time of filing a petition for vacation of a street, alley or any part thereof, a fee as established by city commission resolution shall be paid to the city.*

**Finding: Not Applicable.** The applicant has not proposed a street or alley vacation with this application.

**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.*

**Finding: Not Applicable.** The applicant has not proposed a street or alley vacation with this application.

**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: Not Applicable.** A new street is not proposed or required.

**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. Where location is not shown in the development plan, 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. Access control in accordance with section 12.04.200 shall be required to preserve the objectives of street extensions.

**Finding: Not Applicable.** A new street is not proposed or required.

**12.04.180 - Street design—Minimum right-of-way.**

All development shall provide adequate right-of-way and pavement width. Adequate right-of-way and pavement width shall be provided by:

- A. Complying with the street design standards contained in the table provided in Chapter 12.04. The street design standards are based on the classification of streets that occurred in the Oregon City Transportation System Plan (TSP), in particular, the following TSP figures provide the appropriate classification for each street in Oregon City: Figure 5-1: Functional Classification System and New Roadway Connections; Figure 5-3: Pedestrian System Plan; Figure 5.6: Bicycle System Plan; and Figure 5.7: Public Transit System Plan. These TSP figures from the Oregon City Transportation System Plan are incorporated herein by reference in order to determine the classification of particular streets.

Table 12.04.020 STREET DESIGN STANDARDS		
Type of Street	Maximum Right-of-Way Width	Pavement Width
Major arterial	124 feet	98 feet
Minor arterial	114 feet	88 feet
Collector street	86 feet	62 feet
Neighborhood Collector street	81 feet	59 feet
Local street	54 feet	32 feet
Alley	20 feet	16 feet

- B. The applicant may submit an alternative street design plan that varies from the street design standards identified above. An alternative street design plan may be approved by the city engineer if it is found the alternative allows for adequate and safe traffic, pedestrian and bicycle flows and transportation alternatives and protects and provides adequate multi-modal transportation services for the development as well as the surrounding community.

**Finding: Complies as Proposed.** The applicant has not proposed to alter the right-of-way with this application.

**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)."

A. 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 applicant has not proposed and is not required to alter the access with this development application.

#### **12.04.190 - Street design—Alignment.**

The centerline of streets shall be:

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

A. Offset from the centerline by no more than ten 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: Not Applicable.** The applicant has not proposed a street alignment with this application.

#### **12.04.195 - Minimum street intersection spacing standards.**

**Finding: Not Applicable.** The applicant has not proposed and is not required to install a new intersection with this development.

#### **12.04.200 - Street design—Constrained local streets and/or rights-of-way.**

**Finding: Not Applicable.** The development proposal does not include a constrained street.

#### **12.04.205 - Intersection level of service standards.**

When reviewing new developments, the City of Oregon City requires all relevant intersections to be maintained at the minimum acceptable Level Of Service (LOS) upon full build-out of the proposed development. The minimum acceptable LOS standards are as follows:

A. For signalized intersection areas of the city that are located outside the Regional Center boundaries a LOS of "D" or better 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 critical movements.

B. For signalized intersections within the Regional Center boundaries a LOS "D" can be exceeded during the peak hour; however, during the second peak hour, LOS "D" or better will be required as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0.

C. For unsignalized intersection throughout the city a LOS "E" or better for the poorest approach and with no movement serving more than twenty peak hour vehicles operating at worse than LOS "F" will be tolerated for minor movements during a peak hour.

**Finding: Complies as Proposed.** The applicant submitted a traffic analysis for the proposed change in use which shows that the expected trips per day will decrease. This would provide an increase in level of service for nearby intersections.

#### **12.04.210 - Street design—Intersection angles.**

**Finding: Not Applicable.** The applicant has not proposed and is not required to redesign an intersection.

#### **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: Not Applicable.** The applicant has not proposed and the City is not requiring off-site improvements.

**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 as described in [Section] 12.04.200 may be required to preserve the objectives of half streets.*

**Finding: Not Applicable.** A half street is not proposed or existing adjacent to the site.

**12.04.225 - Street design—Cul-de-sacs and dead-end streets.**

**Finding: Not Applicable.** There is an existing cul-de-sac. No additional cul-de-sac or dead end is not proposed or required.

**12.04.230 - Street design—Street names.**

**Finding: Not Applicable.** A new street is not proposed or required with the proposed development.

**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.** A new street is not proposed with the proposed development.

**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.** The abutting portion of Beaver Creek Road is designated as a minor arterial in the Oregon City Transportation System Plan, but the applicant has not proposed a new building or exterior alterations to existing buildings and thus this standard is not applicable.

**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.** A new street is not proposed or required.

**12.04.255 - Street design—Alleys.**

**Finding: Not Applicable.** The applicant has not proposed to install a new alley with this application.

**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 Tri-Met where the application impacts transit streets as identified on Figure 5.7: Public Transit System Plan of the Oregon City Transportation System Plan. Pedestrian/bicycle access ways shall be provided as necessary in conformance with the requirements in Section 17.90.220 of this code and Chapter 12.24 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.** The applicant has not proposed and is not required to install transit improvements.

**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: Not Applicable.** A new street is not proposed or required.

**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: Not Applicable.** A new street is not proposed or required.

**Chapter 12.24 PEDESTRIAN/BICYCLE ACCESSWAYS**

**12.24.040 - Development standards.**

**12.24.040 .F.** *The planter strips on either side of the accessway shall be landscaped along adjacent property by:*

1. 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. Two-inch minimum caliper trees shall be planted on both sides of the accessway in an alternating pattern and with a maximum of twenty feet of separation between the tree on the opposite side of the path in order 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.

**Finding: Complies with Condition.** The development proposal includes the construction of an 8 foot wrought iron fence extending along the southern and eastern property lines of the Silver Oak facility. A portion of the fence is adjacent to the existing pedestrian accessway leading from Red Soils Court to Hillendale Park. In order to maintain vegetation between the pedestrian accessway and the fence and minimize vegetation removal adjacent to the pedestrian accessway, the proposed fence along the south side of the Silver Oak facility shall be located no more than 2 feet south of the existing curb adjacent to the drive aisle on the south side of the parking lot. The proposed fence along the west side of the Silver Oak facility shall be located no more than 2 feet west of the existing curb adjacent to the drive aisle on the west side of the parking lot. All existing landscaping removed to construct the fence shall be replaced along the fence.

In order to comply with the pedestrian accessway landscaping standards, the applicant shall not remove any of the existing trees. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 3.**

#### **Chapter 12.08 PUBLIC AND STREET TREES**

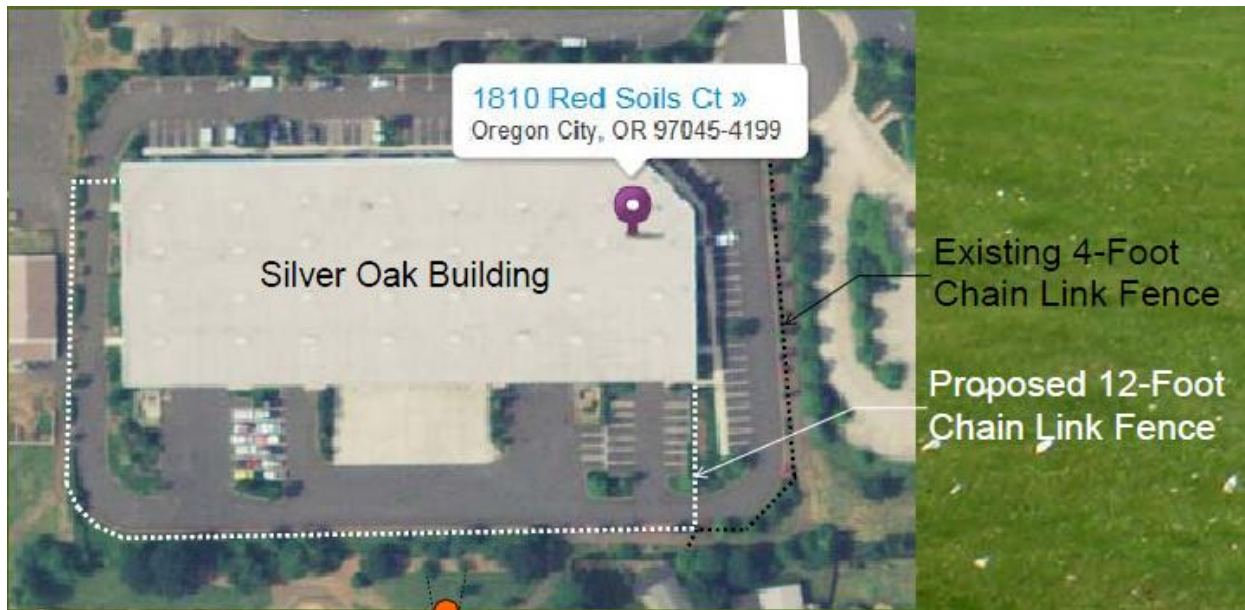
**Finding: Not Applicable.** The applicant has not proposed and is not required to install any street trees with this application.

#### **CHAPTER 17.54.100 SUPPLEMENTAL ZONING REGULATIONS AND EXCEPTIONS- FENCE, HEDGE & WALLS**

*Generally. Fence, hedge, or wall.*

**17.54.100.1 Fences and walls—***Fences and walls over forty-two inches shall not be located in front of the front faced 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 Section 17.54.100B.*

**Finding: See the analysis under OCMC 17.65.070 within this report approving the request to adjust fence height.** The applicant proposed to install an 8 foot wrought iron fence around a portion of the parking lot at the Silver Oak facility in the back room portion of the Red Soils Campus (Exhibit 12, shown below). The wrought iron infill panels would have an angled top and be a maximum of eight-foot high. The proposed infill panels will be articulated by alternating steel columns in two sizes (squares of two-inches, and four-inches) and include painted concrete (or CMU) rectangular columns approximately one-foot wide by twenty-three inches deep at corners and roughly 40-feet apart on the south elevation. The applicant will paint the proposed concrete columns to integrally match the building, and the wrought iron infill panels will be painted black. The proposed infill panels will be constructed from flat bar stock and round cross bars welded to one another to reduce the climb-ability. The fence would provide privacy screening and security for the Sheriff's evidentiary material and fleet vehicles.



**17.54.100.4** *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.*

**Finding: Complies with Condition.** The applicant requested to replace existing barbed or razor wire (as identified on page 63 of the Master Plan) as needed. A map of the locations as well as pictures of the site was provided to the City. The applicant indicated that the installations occur at areas off of the public right of way or at highly sensitive points where security is a concern. City staff has not received a known compliant regarding the razor wire and the locations are generally within the back room of the site or not abutting the public right-of-way (with few exceptions). In addition, as the property develops over time, a majority of the barbed or razor wire fences will be removed or replaced with implementation of the Master Plan. Staff recommends the Planning Commission allow the applicant to replace existing barbed or razor wire (as identified on page 63 of the Master Plan) as needed.

The applicant withdrew the request to install new razor or barbed wire onsite. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 5.**

#### **Chapter 17.58 – NONCONFORMING USES, STRUCTURES AND LOTS**

*Nonconforming situations are created when the application of zoning district to a site changes or the zoning regulations change. As part of the change, existing uses, density, or development might no longer be allowed or are further restricted. Nonconforming uses, structures and lots are those uses, structures and lots that were lawfully established but do not conform to the provisions of this title or the provisions of the zoning district in which the use, structure or lot is located. The intent of these provisions is not to force all nonconforming situations immediately to be brought into conformance. Instead, the intent is to guide nonconforming situations in a new direction consistent with city policy, and, eventually, bring them into conformance.*

**Findings: Applicable.** The subject site was constructed before the adoption of this zoning code and does not meet a variety of criteria including design, landscaping, etc. The proposed development to the nonconforming site requires compliance with OCMC 17.58.040.C.2.

**17.58.040.C.2.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 than \$75,000. 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.

**Findings: Complies with Condition.** The applicant indicated the proposed fencing at the Silver Oak building would cost approximately \$120,000, but then revised the building material to include a more expensive building material. Compliance with this section is required. Prior to installation of landscaping the applicant shall submit revised documentation demonstrating compliance with the requirements identified in OCMC 17.58. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 13.**

**17.58.040.C.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.*  
*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.

**Findings: Complies with Condition.** Compliance with this standard is required per 17.58.040.C.2.a. The site currently complies with the pedestrian circulation required in the Oregon City Municipal Code. The applicant previously proposed to install parking lot landscaping which would bring the nonconforming site into greater conformity.

Since the original submittal, the applicant revised the building material to a more costly alternative. Prior to installation of landscaping the applicant shall submit revised documentation demonstrating compliance with the requirements identified in OCMC 17.58. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 13.**

**17.58.040.C.d** *Timing and cost of required improvements. The applicant may choose one of the two following options for making the required improvements:*

**Findings: Complies as Proposed.** The applicant proposed to install approximately \$80,000 worth of additional parking lot landscaping which would bring the nonconforming site into greater conformity.

Since the original submittal, the applicant revised the building material to a more costly alternative. Prior to installation of landscaping the applicant shall submit revised documentation demonstrating compliance with the requirements identified in OCMC 17.58. **Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with condition of approval 13.**

**RECOMMENDATION:**

Based on the analysis and findings as described above, Staff recommends the Planning Commission approve Planning files CP 12-01: Master Plan and DP 12-01: Detailed Development Plan with conditions for the properties located at Clackamas County Map 3-2E205C, tax lots 00806, 00807, and 00812.

**EXHIBITS:**

1. Vicinity Map
2. Applicant's Narrative and Site Plan
3. Staff Report for SP 03-08
4. Staff Report for CP 05-01, WR 05-36 & CU 05-03
5. Staff Report for DP 06-02
6. Staff Report for CP 07-02 and DP 07-01
7. Staff Report for CP 08-03
8. Staff Report for CP 09-03, DP 09-02 and WR 09-07
9. Comments from John Replinger, Replinger and Associates
10. Comments from William Gifford, Land Use Chair of the Hillendale Neighborhood Association
11. Engineering Policy 00-01
12. Additional Information Provided by the Applicant for the 12.10.12 Hearing
- 13a. Applicant's Submittal for the 4.8.13 Hearing
- 13b. Applicant's Submittal for the 1.28.13 Hearing
14. Map of Existing Fences Onsite

**RECOMMENDED CONDITIONS OF APPROVAL**

CP 12-01: Master Plan and DP 12-01: Detailed Development Plan

1. The applicant shall complete all proposed development associated with this application prior to occupying the Silver Oak building for office or evidentiary storage use. *(P and DS)*
2. Prior to disturbance of soil associated with the proposed development, the applicant shall sign a Non-Remonstrance Agreement 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. The applicant is responsible for this project's compliance with Engineering Policy 00-01 found at <http://www.orcity.org/sites/default/files/EP00-01v6.pdf>. The policy pertains to any land use decision requiring the applicant to provide any public improvements. *(DS)*
3. Approval of Adjustment #1A to construct a new 8 foot tall wrought iron fence at the Silver Oak facility subject to the following:
  - The Planning Commission approve Adjustment #1A to construct a new 8 foot tall wrought iron fence at the Silver Oak facility.
  - The proposed fence along the south side of the Silver Oak facility shall be located no more than 2 feet south of the existing curb adjacent to the drive aisle on the south side of the parking lot. The proposed fence along the west side of the Silver Oak facility shall be located no more than 2 feet west of the existing curb adjacent to the drive aisle on the west side of the parking lot. All existing landscaping removed to construct the fence shall be replaced along the fence.
  - The applicant shall install all proposed landscaping (Exhibit 12) within 3 months of initiating construction of the proposed development onsite.
  - The applicant shall not remove any of the existing trees. *(P)*

4. Approval of Adjustment #1B to allow the removal and replacement of the existing nine fences identified on page 63 of the Master Plan in the exact existing locations at the heights described in Table 1 and shown in Exhibit 14, and is also subject to the following:

- The Planning Commission approve Adjustment #1B to allow the removal and replacement of the existing nine fences identified on page 63 of the Master Plan in the exact existing locations at the heights described in Table 1 and shown in Exhibit 14.
  - The applicant shall plant vegetation as needed to visually obstruct replacements of existing fencing from the right-of-way or adjoining properties.
  - The applicant shall install all proposed landscaping (Exhibit 12) within 3 months of initiating construction of the proposed development onsite.
  - The applicant shall not remove any of the existing trees. *(P)*
5. The applicant may replace existing barbed or razor wire (as identified on page 63 of the Master Plan) as needed (Exhibit 14). *(P)*
6. Prior to disturbance of soil associated with the proposed development at the Silver Oak Building, the applicant shall submit documentation displaying compliance with the tree protection standards in OCMC Chapter 17.41.130 of the Oregon City Municipal Code. *(P)*
7. Prior to disturbance of soil associated with the proposed development, the applicant shall submit documentation for the Red Soils campus indicating 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 trucks used in conducting the business or use. *(P)*
8. Prior to installation of landscaping, the applicant shall provide documentation demonstrating that new landscaping complies with OCMC Chapter 13.12. *(DS)*
9. Prior to installation of landscaping, the applicant shall provide documentation demonstrating the locations where alterations to the parking area/building buffer landscaping are proposed comply with OCMC 17.52.060.C. *(P)*
10. Prior to installation of landscaping, the applicant shall provide documentation demonstrating the locations where alterations to the interior parking lot landscaping are proposed comply with OCMC 17.52.060.D. *(P)*
11. Prior to installation of landscaping, the applicant shall provide documentation demonstrating that for the proposed landscaping, 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. *(P)*
12. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. *(P and DS)*
13. Prior to installation of landscaping the applicant shall submit revised documentation demonstrating compliance with the requirements identified in OCMC 17.58. *(P)*

*(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.*

22 March 2013



Laura Terway, AICP  
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Re: Red Soils Master Plan, Amendment to include Silver Oak Building  
SERA Project No.: 10035  
CP 12-01 & DP 12-01

Dear Laura,

Attached to this cover letter are a revised memorandum where we have revised the design for the fence and request only a height adjustment, not a material exception. Also attached are revised Appendix G which contains the landscape plan, and new appendices C which contain pictures of non-conforming fences (relates to the Proposed Fencing Types diagram, revised page 63) and Appendix H which has some contextual images of fences, and renderings of the proposed fence at the Silver Oak Building.

Additionally, please use this letter as a formal request to remove page 63, entitled Proposed Fencing Types from the Red Soils Master Plan Update January 2012 and replace it in its entirety with a revised page 63 entitled Non-Conforming Existing Fences. This revised page better conveys the information which the County proposes to codify in this update. Our intention was not discuss the architecture of future buildings, but to request the acceptance of the non-conforming fences on campus and the revised page reflects the locations and descriptions of those fences in addition to an new Appendix C which provides photographs of the non-conforming fences.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rebecca', followed by a stylized flourish.

Rebecca Epstein, LEED AP, BD+C  
SERA Architects  
Project Manager

attachments:

- Revised Memorandum dated 22 March 2013
- Revised Appendix G: Landscape Plan L1
- Revised page 63 of the Master Plan Update, entitled Non-Conforming Existing Fences
- Appendix C: Pictures of Non-Conforming Existing Fences
- Appendix H: Contextual Pictures
- Renderings of the proposed fence for the Silver Oak Building

cc: Marc Gonzales, Lane Miller, Jeff Jorgensen, Don Eggleston, file

29 May 2012  
Revised September 7, 2012  
Revised January 12, 2013-proposal disallowed  
**Revised March 22, 2013**  
**(revisions shown in red)**



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Re: Red Soils Master Plan, Amendment to include Silver Oak Building  
SERA Project No.: 10035

Dear Laura,

SERA Architects is pleased to submit for your review the Red Soils Master Plan 2012 Update. Clackamas County is requesting a Type II Review for the following:

1. Amend the Red Soils Master Plan to include the Silver Oak Building.
2. Amend the use of the building from light industrial to warehouse storage and office.
3. Adjustment to the fence height requirement of the Oregon City Municipal Code on the Red Soils Campus at the Silver Oak Building to allow **an eight-foot fence around the Silver Oak Building as shown on page 63 of the Master Plan 2012 Update. See revised page 63 with this memorandum.**
4. Codifying the **existing non-conforming fences on the Red Soils Campus identified on revised page 63.**
  - a. **Note: We request to remove the previous diagram of Proposed Fencing Types, page 63, discussed at the first public hearing on December 10, 2012 and replace it with a diagram depicting the Non-Conforming Existing Fences. Direction approved by Tony Konkol on December 20, 2012.**

At this time Clackamas County is not requesting a lot line adjustment.

The Master Plan 2012 Update reflects changes relating to the above mentioned amendments and adjustments on the following pages:

- Page 2 (last paragraph): Introduces above mentioned amendments and adjustment requests.
- Page 3 (Context Map): Updated to include the Silver Oak Building on the Campus.
- Page 11 (Red Soils Campus Phasing): Updated to include Silver Oak Building on Campus.
- Page 12 (Red Soils Campus Program by Phase): Updated to include the Silver Oak gross square footage for Phase 2 and Full Build-Out.
- Page 13 (Enlarged Full Build-Out): Updated to include Silver Oak Building on Campus, no change from Page 11.
- Page 22 (Existing Conditions, Introduction): Revised to identify the past use of chain link at the 'Back Room' areas where public safety is a concern.
- Page 28 (Existing Conditions, Bicycle and Pedestrian Access & Parking): Note added to see Appendix E for Bicycle Parking Counts and Appendix G for Proposed **On-Site** Parking per City requirements

# Memorandum

- Page 29 (Existing Conditions, Existing Fencing and Screening): Revised to **request codifying** the use of unpainted chain link above the code required height (**6-foot**, 8-foot, 12-foot and 24-foot with barbed wire or razor wire) at the County Jail/Adult Detention Facility (ADF), **and Shaver Building. See revised page 29 with this memorandum.**
- Page 61-62 (Master Plan, Fencing Guidelines): **Revised to reflect codifying the Non-Conforming Existing Fences diagram on page 63 and fencing height adjustment for the Silver Oak Building.**
- **Page 63 (Master Plan, formerly Proposed Fencing Types diagram): Replaced page with diagram depicting Existing Non-Conforming Fences.**
- Appendix A Site Plan: New sheet showing utility and topographic survey of the Silver Oak Building.
- Appendix B Engineering Site Plans: Revised to include Silver Oak Building on Campus.
- **Appendix C: Pictures of the Non-Conforming Existing Fences identified on page 63 of the Master Plan Update.**
- Appendix E Bicycle Parking Requirements: New sheet reflecting existing and proposed bicycle parking.
- Appendix F: Proposed On-Site Parking reflecting the addition of the Silver Oak Building into the Campus parking counts. (Revised sheet attached to the September revised memorandum)
- Appendix G: Proposed Landscape Plan for Silver Oak Building to meet current parking lot landscaping code and **additional landscape screening at the proposed fence around the Silver Oak Building.**
- **Appendix H: Contextual Pictures of neighboring fences adjacent to the campus.**

***Applicable Oregon City Municipal Code as it applies to the incorporation of the Silver Oak Building or the other proposed amendments from the above list:***

## **12.04 Streets, Sidewalks and Public Places**

No changes are proposed to the street (Red Soils Court), sidewalk or public places at the Silver Oak Building or in the Red Soils Master Plan.

Description of existing conditions:

### Streets

The Silver Oak building is accessed by vehicles from Red Soils Court at the west quarter of the cul-de-sac, the building has an asphalt drive and parking area which circles the property.

### Sidewalks

Pedestrians access the building from the public sidewalk on Red Soils Court which turns at west curb-cut and enters the property. The sidewalk travels approximately sixty-feet onto the site and a marked crossing takes pedestrians across the drive aisle to a building entrance on the east side and sidewalk adjacent to the building on the north or east side. The crossing has a curb cut and scored concrete on each side.

### Public Places

The curb cut at the right of way and sidewalk are continuous along the property line at the cul-de-sac. There are pedestrian ramps at the curb cuts and at the entrance to the pedestrian easement to access the Hillendale Park. The easement path is constructed from asphalt and is eight-foot wide. Path, drive aisle, curb cut and sidewalks are in very good condition. An existing four-foot high up-painted chain link fence separates the easement from the remainder of the Silver Oak property. No changes are proposed to the existing easement separation fence.

5/29/2012  
Revised 9/07/2012  
Revised 12/01/2013  
Revised 3/25/2013

# Memorandum

## **12.08 Public and Street Trees**

No changes are proposed to the public and street trees at the Silver Oak Building or in the Red Soils Master Plan.

Description of existing conditions:

### ***12.08.015 Street Tree Planting and Maintenance Requirements***

The Silver Oak Building has nearly mature vegetation and trees throughout the property per Oregon City requirements in 2004 when it was originally permitted.

- A. The two trees which flank the right of way from the cul-de-sac are approximately 50-feet apart, separated by the right of way which accounts for the entire frontage on the cul-de-sac.
- B. Clearance distances:
  - 1. The existing tree on the north side of the right of way is ten-feet from the street light.
  - 2. The tree on the east side is just over five-feet from the hydrant. The other hydrants on the property are located in planters of low ground cover.
  - 3. There are no intersections in the cul-de-sac.
  - 4. There are no power lines near the street trees.
- C. The trees and landscaping are nearly mature, planted in 2004, and in good condition.
- D. All vegetation shall be trimmed to maintain sight lines, allow street cleaning equipment, and provide ADA clearance along the easement path, public sidewalk and clearance to utilities.

### ***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.

- a. Existing frontage trees in good condition on Red Soils Court as are trees along pedestrian easement and shared property line with Hillendale Park.

### ***12.08.025 General Tree Maintenance***

Clackamas County shall be responsible for maintaining the planting area within the pedestrian easement and abutting the owner to the east on the Silver Oak property and along the public right of way at the property line.

### ***12.08.030 Public Property Tree Maintenance***

The City of Oregon City shall have the right to plant, prune, maintain and remove trees, plants and shrubs in all public rights-of-way and public grounds, as may be necessary to ensure public safety or to preserve and enhance the symmetry or other desirable characteristics of such public areas. The Natural Resources Committee may recommend to the community development director the removal of any tree or part thereof which is in an unsafe condition, or which by reason of its nature is injurious to above or below-ground public utilities or other public improvements.

### ***12.08.035 Public Tree Removal***

There are no plans to remove public street trees at the Silver Oak Building.

### ***12.08.040 Heritage Trees and Groves***

There are no identified heritage trees or groves at the Silver Oak Building.

# Memorandum

## **17.31.10 MUE**

Current proposed Mixed Use Employment (MUE) District Uses for the Silver Oak building are to move County functions from leased space adjacent to the Red Soils Campus or from current facilities on Campus into the building. No other use changes are proposed for Red Soils Master Plan.

### *17.31.020 Permitted Uses*

Clackamas County is proposing to change the use from Light Industrial to 32% Office and 68% warehousing.

### *17.31.030 Limited Uses*

Clackamas County is not proposing any uses which fall into the Limited Use category.

### *17.31.040 Conditional Use*

Clackamas County is not proposing any uses which fall into the Conditional Use category.

### *17.31.050 Prohibited Use*

Clackamas County is not proposing any uses which fall into the Prohibited Use category.

### *17.31.060 B, F and G Dimensional Standards (Added August 2012)*

Respond/Calculate for the Campus: Clackamas County is not proposing any Dimensional Standard criterion changes for the Silver Oak Building:

B. Minimum Floor Area Ratio: 0.25

1. Floor Area Ratio for the Full Build-Out (2030): 0.40
2. See revised page 12, Red Soils Campus: Program by Phase attached to this Memorandum to replace page 12 in the 2012 Update, FAR information shown here added to that sheet.

F. Maximum site coverage of the building and parking lot: Eighty percent.

1. Site coverage of the building and parking lot for Current (2011) phase: fifty-seven percent
2. Site coverage of the building and parking lot for Full Build-Out (2030): sixty-one percent

G. Minimum Landscape requirement for the campus (including parking lot): twenty percent

1. Landscape for the Current (2011) Campus: forty-three percent
2. Landscape for the Full Build-Out (2030) Campus: thirty-eight percent
3. Silver Oak Building: The landscaping covers 22% of the site, but the current parking lot landscaping does not meet current Oregon City Municipal Code requirements for one tree per eight stalls. See Section 17.52.060 Parking Lot Landscaping for mitigation proposal to add parking lot landscaping and the Appendix G: Proposed Landscape and Parking Plan for Silver Oak.

### *17.31.070 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.



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## 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.
  - a. Not Applicable, Silver Oak is more than 10,000 square feet.
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.
  - a. Not applicable to the Silver Oak building inclusion into the Red Soils Campus.
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.
  - a. For the Current (2011) Phase the proposed total area is 85,697 square feet 32% Offices and 68% Storage Warehouse. The enlarged area from the building footprint of 68,419 square feet represents a proposed fully accessible two-story space within the building to maximize the storage warehouse potential.
  - b. For the Full Build-Out (2030) Phase the proposed total area is 136,838 with 18% Offices and 82% Storage Warehouse.
  - c. See revised page 12, Red Soils Campus: Program by Phase attached to this Memorandum to replace page 12 in the 2012 Update, FAR information shown here added to that sheet.

### **17.41 Tree Protection Standards**

Clackamas County is not proposing any tree removal as part of the proposed fence work around the Silver Oak Building as shown on Page 63 or as part of the Red Soils Master Plan.

Tree protection mitigation during proposed fence installation at the Silver Oak Building: Clackamas County will employ an arborist to recommend any necessary pruning or excavating procedures if the proposed fence is within the canopy of existing trees along its route. Arborist will also assist in recommendations on re-positioning of shrubs which may be adversely affected during fence installation.

### **17.49 Natural Resource Overlay District**

A portion of the Mud Creed Wetland buffer zone occurs on the south west corner of the previously developed Silver Oak Building site, but no development is proposed for this area as part of this 2012 Update or proposed fence work around the Silver Oak Building as shown on Page 63.

### **17.50 Administrative Process**

The Master Plan 2012 Update is requesting to incorporate the Silver Oak Building into the Red Soils Campus Master Plan, and amend OCMC fencing requirements through a Type II Land Use Review.

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## *17.50.010 Purpose*

Clackamas County is consolidating the following amendments and adjustments into this Type II Application:

1. Amend the Red Soils Master Plan to include the Silver Oak Building.
2. Amend the use of the building from light industrial to storage and office.
3. Adjustment to the fence height requirement of the Oregon City Municipal Code on the Red Soils Campus to allow an eight-foot fence around the Silver Oak Building as indicated on page 63 of the Master Plan Update.
4. Codifying the existing non-conforming fences on the Red Soils Campus identified on revised page 63.

There is no grading work proposed as part of the 2012 Update or the amendments above.

## *17.50.040 Development Review in Overlay Districts and for Erosion Control*

There is no work proposed in the 2012 Update that affects the Natural Resource Overlay District, Greenway or Geologic Hazards or erosion control.

## *17.50.050 Pre Application Conference*

Two separate pre-application meetings were held on: August 17, 2010 and March 20, 2012.

## *17.50.055 Neighborhood Association Meeting*

Clackamas County will hold a meeting with affected Neighborhood Associations within three-hundred feet of the Red Soils Campus. Neighborhood Association representatives have been contacted to request their mailing addresses to send the certified letter describing the project and requesting a meeting.

Documentation of the letter and all other communication as indicated in 17.50.055 will be sent to the Planning Department after the meeting is held.

Meeting was held on June 20, 2012. Notes, sign-in sheet and letter to association and neighbors was submitted to Laura Terway of the Oregon City Planning Department.

## *17.50.060 Application Requirements*

Clackamas County is the sole contract purchaser of the property and the building built in 2004 at 1810 Red Soils Court in Oregon City. The County Map and Tax Lot number is 3-2E205C-00806 and the Clerk's reporting number is 2010-027278 for the Statutory Warranty Deed. The Purchasing Director, Lane Miller, has asked that you contact him directly if more information is needed on the title. His contact information is: [lanem@co.clackamas.or.us](mailto:lanem@co.clackamas.or.us)

Phone: 503.742.5444

Completed on May 13, 2012 by Email from Lane Miller to Laura Terway

## *17.50.080 Complete Application – Required Information*

The 2012 Update was submitted on **April 30, 2012**, more information was requested on May 16, 2012 by the Planning Department. The additional information was sent to the Planning department on May 29, 2012. The following information was submitted in total:

- A. Completed and signed Land Use Application.
- B. Complete list of permit approvals sought: Contained in this memorandum.
- C. Title Report: Statutory Warranty Deed information provided, contact Clackamas County directly for more information.
- D. A complete narrative description of the proposed development: Silver Oaks building and property incorporated into the Red Soils Master Plan document as the 2012 Update, also incorporated are

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existing and proposed fence information for determination on codifying the existing and amending the proposed fencing height and materials.

- E. Up to 21-copies of the proposed development: The planning department has requested 12 copies of final documents.
- F. One copy of the site plan: Included in the Red Soils Master Plan 2012 Update as Appendix A.
- G. Mailing labels for notice to all parties entitled under 17.50.090: A \$15 fee has been paid in lieu of mailing labels.
- H. Applicable fees:
  - A Fee of \$5,624 by PO number 833890 was transferred that included:
    - a. Master Plan (Concept Plan) Amendment: \$3,233
    - b. Detailed Development Plan (minor): \$776
    - c. Transportation Study: \$1,600 (half of base fee)
    - d. Mailing Labels: \$15
- I. Annexation Agreements: No annexation.
- J. Additional documentation: None requested.

## *17.50.090 Public Notices* Notice of Type II Applications.

When this application is deemed complete, the city shall prepare and send notice of the application with the fee provided with the application, by first class mail, to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. Pursuant to Section 17.50.080G. Clackamas County will be responsible for posting the subject property with the city-prepared notice in accordance with Section 17.50.100. The notice shall include the following information:

1. Street address: 1810 Red Soils Court, Oregon City
2. Proposal (or as written by Planning staff per Section 17.50.100):
  - Incorporation of the Silver Oak property into the Clackamas County Red Soils Campus to consolidate County functions into owned property and reduce the use of leased space.
  - Allow a change of use for the Silver Oak Building from Light Industrial to Office and Warehouse use.
  - **Allow an eight-foot fence wrought iron and concrete column fence at the south side of the Silver Oak property abutting Hillendale Park for privacy screening and security.**
  - Formal Planning Commission approval for the prior use of un-painted chain link and chain link with barbed or razor wire above current zoning code at the County Jail on the Campus.
3. Any interested party may submit to the city written comments on the application during a fourteen-day comment period prior to the city's deciding the application. (Dates and instructions to be provided by the City when known).
4. Any issue which is intended to provide a basis for an appeal must be raised in writing during the fourteen-day comment period with sufficient specificity to enable the city to respond to the issue.
5. The application and all supporting materials may be inspected, and copied at cost, at city hall during normal business hours.
6. Planning staff person assigned to the application or is otherwise available to answer questions about the application: (to be provided by City)
7. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to Section 17.50.290C. must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal

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## *17.50.100 Notice Posting Requirements*

Notice posting shall following the guidelines of this Section.

- A. Guidance and Responsibility: The City shall provide the notices and the timeline for Clackamas County to post and remove signs. Clackamas County shall also sign the statement provided by the City verifying the notices were posted at the correct time.
- B. Number and Location: Notices shall be placed by Clackamas County per the requirements of this section, not in the public right of way or on trees and they shall be removed within ten days of the posted date on the notice.

## *17.50.110 Assignment of Decision Makers*

Clackamas County understands that this Type II Application is rendered by the Community Development Director and is appealable to the city commission with notice to the planning commission. The city commission decision is appealable to LUBA.

## *17.50.120 Quasi-Judicial Hearing Process*

Not Applicable to this Type II Application.

## *17.50.130 Conditions of Approval and Notice of Decision*

Clackamas County understands that:

- A. The City has the authority to impose reasonable conditions of approval to ensure that all applicable approval standards are, or can be, met.
- B. Failure to comply with any conditions of approval shall be grounds for revocation of the permit(s) and code enforcement.
- C. Notice of the Decision shall be sent by first class mail to all persons with standing or requested notice of the decision. The notice shall include:
  - 1. The file number and date of decision;
  - 2. The name of the applicant, owner and appellant (if different);
  - 3. The street address or other easily understood location of the subject property;
  - 4. A brief summary of the decision, and if an approval, a description of the permit approved;
  - 5. A statement that the decision is final unless appealed and description of the requirements for perfecting an appeal;
  - 6. The contact person, address and a telephone number whereby a copy of the final decision may be inspected or copies obtained.
- D. Any request to modify a condition of permit approval is to be considered either minor modification or a major modification and shall be processed as a Type I as indicated in 17.50.130.

## *17.50.140 Performance Guarantees*

Clackamas County understands that performance guarantees may be required as a condition of approval. However, if a performance guarantee will be required the County requests the opportunity to speak, as one government entity to another, with the decision-maker prior to issuance of this requirement.

## **17.52 Off Street Parking and Loading**

### *17.52.010 Applicability*

The site currently holds more parking than required by code for the proposed use of 32% Office and 68% Warehouse and for Parking Lot Landscaping. See proposed mitigation below.

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## *17.52.020 Number of Automobile Spaces Required*

The plan reflects a reduced stall count, from 109 to 90 spaces, to align with the parking count required by Table 17.52.020 and 17.52.060 for parking lot landscaping. See Appendix F: Proposed On-Site Parking, and a revised site plan showing additional parking lot landscaping to meet current Oregon City Municipal Code requirements for one tree per six stalls is provided in Appendix G of the 2012 Update.

## *17.52.030 Standards for Automobile Parking*

- A. Not Applicable to the Silver Oak Property or parking lot landscaping proposed.
- B. Existing asphalt drive is in excellent condition and is adequately maintained by the County. No changes to a pervious material are proposed at this time.
- C. No changes to the existing drainage system at the Silver Oak Building are proposed.
- D. The existing standard and accessible parking stalls comply with the City's requirements.
- E. See revised parking plan in Appendix G, **L1 Landscape Plan** for designated Carpool/Vanpool spaces.
  - a. **Amount of Carpool/Vanpool spaces identified: Two (2) spaces, code minimum. Proposed in the secure area of the Silver Oak Building Site.**

## *17.52.040 Bicycle Parking Standards*

No changes are proposed to the existing bicycle parking racks which provide 10 spaces at the Silver Oak Building and meet Table A requirements for the use. See Appendix E for a Campus wide tabulation of bicycle parking.

- a. **Existing bicycle parking at the Silver Oak Building identified in Appendix G, L1 Landscape Plan.**

## *17.52.060 Parking Lot Landscaping*

### A. Development Standards:

- 1. Located in defined areas that are uniformly distributed: Existing landscaping meets this criterion.
- 2. All areas not used for parking are landscaped: Existing landscaping meets this criterion.
- 3. Trees should be a mix of deciduous and coniferous and evenly distributed throughout the parking area: Additional Landscaping to be added to meet this requirement, See attached Landscape Plan, L1.
- 4. Trees shall be a minimum two-inch caliper size, planed according to American Nurserymen Standards and selected from the Oregon City Street Tree List: Existing landscaping meets this criterion.
- 5. Landscaped areas shall include an irrigation system unless an alternate plan has been approved by the community director: Existing landscaping has an irrigation system, new landscaping is incorporated into the existing system.
- 6. All plant materials should be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage and staggered flowering periods: Existing landscaping meets this criterion.
- 7. The landscaping shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of Chapter 10.32. Traffic Sight Obstructions: Existing landscaping meets this criterion.
- 8. Landscaping shall incorporate design standards in accordance with Chapter 13.12 Stormwater Management: Existing landscaping meets this criterion.

B. Perimeter Parking Lot Landscaping and Parking Lot Entryway Screening: Existing landscaping meets this criterion.

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C. Parking area/Building Buffer: Existing landscaping meets this criterion.

D. Interior Parking Lot Landscaping:

- a. Minimum of one tree per eight parking spaces: Existing landscaping does not meet this criterion.

Clackamas County proposes to mitigate this condition by converting parking spaces to landscaped planters. See proposed Landscape Plan L1.

- b. Ground cover covering one hundred percent of the exposed ground within three years, no bark mulch except under the canopy of shrubs and within two feet of the base of trees: Existing landscaping meets this criterion.
- c. Shrubs spaced no more than four feet apart on average: Existing landscaping meets this criterion.
- d. No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them. 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: Existing landscaping meets this criterion.
- e. Pedestrian walkways shall have shade trees spaced a maximum of every thirty-five feet in a minimum three-foot by five-foot tree well; or trees spaced every thirty-five feet, shrubs spaced not 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: Existing landscaping meets this criterion.

1. Revised Landscape Plan L1 identifies additional planting along the pedestrian walkway in the easement.

E. Installation: Existing landscaping is well established and healthy and the irrigation system is working. Proposed work to reconcile the parking lot landscaping with current City code will be installed with an irrigation system.

## *17.52.070 Alternative Landscaping Plan*

No alternative plan is being proposed as part of the 2012 Update.

## **17.54.0100 Fences, Hedges and Walls**

General Fence, Hedge or Wall:

1. Heights for 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 17.54.100B.

Clackamas County requests a variance to the fence height requirements for the Silver Oak Building. The fence would secure the back portion of the facility traveling from the southeast corner of the building along the curb of the south and west elevations and close on the northwest corner.

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See the Landscape Plan for the location on the building site. This side of the building has no “eyes on the street” exposure and may be vulnerable to crime. The County plans to park equipped fleet vehicles, unload evidentiary material and other County property through the loading doors located on the south elevation. The County requests to use an eight-foot high fence and landscaping of varied height for privacy screening and security.

Other jurisdiction’s municipal buildings housing the unique types of functions proposed for the Silver Oak Building have twenty-four hour staffing or are allowed much higher fencing to secure the site. The additional height of the fence will act as a first line of protection to slow or discourage a criminal act. The Silver Oak building will have various types of intrusion detection including exterior and interior cameras, alarms and specialized door hardware; however, the building will not be staffed twenty-four hours a day. Although there are no specific site requirements for Evidence and Crime Lab accreditation or the Evidentiary Chain of Custody requirements other than ‘provide a secure facility,’ a fence is a best practice. A six-foot fence would be easily climbable by most people regardless of the material type.

The County is proposing a fence from wrought iron infill panels which would have an angled top and be a maximum of eight-foot high. The infill panels would be articulated by alternating steel columns in two sizes (squares of two-inches, and four-inches) and painted concrete (or CMU) rectangular columns approximately one-foot wide by twenty-three inches deep at corners and roughly 40-foot apart on the south elevation. The concrete columns would be painted to integrally match the building and the wrought iron infill panels would be painted black. The infill panels proposed are constructed from flat bar stock and round cross bars welded to one another to reduce the climbability.

See Appendix H for Contextual Pictures and attached renderings of the proposed fence.

2. Hedges shall not be more than forty-two inches in the underlying front yard setback: Existing hedges comply with this requirement, all existing hedges meet this requirement.
  - a. The County is proposing to add landscaping along the pedestrian path which would comply with height, spacing and species requirements. See revised Landscape Plan L1, Appendix G.
3. Property Owners shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon Municipal Code: Existing landscaping complies with Chapter 10.32 and Clackamas County will continually maintain the site to ensure compliance.
4. It is unlawful to erect electric fence or any fence constructed in whole or 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. No electric fences are proposed.

Clackamas County requests the formal approval of the Oregon City Planning Commission on prior installations of chain-link fencing at a height of six-feet, eight-feet, twelve-feet and twenty-four feet some with barbed or razor wire at the Adult Detention Facility, others at garbage enclosures or surrounding facilities such as the Shaver Building, on the Red Soils Campus. The installations occur at areas off of the public right of way at highly sensitive points where security is a concern. See page 63, Non-Conforming Existing Fences for descriptions and locations.



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B. Exceptions: Use of berm or other obstructing vegetation on retaining wall: Not applicable to the fence adjustments requested.

## **17.62 Site Plan and Design Review**

### *17.62.035 Minor Site Plan and Design Review*

A. Generally:

1. Modifications for the purpose of enhancing aesthetics: None proposed to the Silver Oak Building in the 2012 Update.
2. Modifications to the parking lot layout: Proposed modification to the Silver Oak Building to comply with current parking lot landscaping requirements. See Appendix G for proposed plan.
3. A maximum addition of up to one thousand square feet to a commercial, office, institutional, public, multi-family, or industrial building provided that the addition is not more than thirty-five percent of the original building square footage: No addition is proposed to the Silver Oak Building in the 2012 Update.
4. Other land uses and activities: Fence height and material adjustment for the Silver Oak Building and a fence height and material adjustment for previously installed fences **on campus**.

B. Application:

1. Requirements of Chapter 17.50: See response to criterion in this memorandum.
2. Narrative explaining all aspects of the proposal in detail and addressing each of the criteria listed in Section 17.62.035C: Silver Oak Building and Property integrated into the Red Soils Master Plan as the 2012 Update and responded to in this memorandum.
3. Site Plan drawings showing existing conditions/uses and proposed conditions/uses: See Appendix sheets of the 2012 Update and response to 17.31 of this memorandum requesting use change for the Silver Oak Building.
4. Architectural Drawings including elevations and envelopes: No architectural work is proposed for the Silver Oak Building in the 2012 Update.
5. Additional submittal material: not requested at this time.

C. Development Standards for Minor Site Plan and Design Review

1. All development shall comply with Section 17.62 and other sections may apply when deemed applicable: The Red Soils Master Plan has been updated to include the Silver Oak Building as part of the Campus and as such shall comply with the Master Plan provisions set forth in the document as an existing building.

### *17.62.040 Plans Required*

A. Site Plans with items indicated in 17.62.040A: Drawings for the Silver Oak Building integrated into the 2012 Update.

B. Landscape Plan: Not applicable, landscaping and irrigation systems are existing and healthy. Proposed change to add parking lot landscaping will match existing species and be at sizes required by code.

C. Architectural drawings or sketches: Not applicable, no interior or exterior changes are proposed in the 2012 Update.

D. Materials Board: Not applicable, no changes are proposed to the exterior materials.

E. Erosion/Sedimentation Control Plan and a drainage plan: Not applicable, no changes are proposed to the existing drainage plan and no work is proposed which would affect erosion/sedimentation.

F. Legal description of the site: See Appendix A in the 2012 Update.

G. Exterior Lighting Plan: No changes are proposed to the lighting plan permitted in 2004.

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- H. Archeological Monitoring Recommendation: Site was previously fully developed and no archeological monitoring was recommended.
- I. Special Studies on traffic safety or capacity or natural resource areas as requested: The City of Oregon City requested a Traffic Trip Comparison study to determine if a formal traffic impact study is needed for the use of the Silver Oak building, however, the Trip Compression study by Kittleson (Dated November 14, 2011) found that there would be a net reduction in trips. See attached letter from Kittleson.
- J. Waiving the submission or requesting additional information: No waiver or additional information requested.
- K. Erosion Control Plan: Not applicable to this land review process.

## 17.62.050 Standards

1. Landscaping at the Silver Oak Building: Twenty-two percent of the site is landscaped from a previously permitted application process in 2004. No nuisance plans exist on-site.
  - a. All areas credited with landscaping have growing plant materials.
  - b. A small portion of the buffer region of a natural overlay district in the southwest corner of the site is preserved as a landscaping area with no development.
  - c. See proposed Landscape Plan, L1.
  - d. The property is not located in the Downtown Design District.
  - e. Landscaping is visible from public thoroughfares and the adjacent public park.
  - f. Twenty percent is buffer landscaping between adjacent property and around the building; the rest is parking lot landscaping.
2. Vehicular Access and Connectivity at the Silver Oak Building:
  - a. The Silver Oak property is located on the southwest quadrant of a cul-de-sac with the building at ninety degrees to the right of way. Parking is located in the back, sides and angled front corner of the site.
  - b. Previously permitted ingress and egress locations are located in the interest of public safety. No changes are proposed.
  - c. There are no alleys or vehicular access easements on the Silver Oak Property.
  - d. The site is not abutting an alley, not applicable.
  - e. Pedestrian access from the public sidewalk: is emphasized with landscaping and a bollard preventing vehicular traffic.
  - f. Easement to adjacent site in place: pedestrian and bicycle path and utility easement in place along east and part of south property.
  - g. Not applicable, no parking garage on property or proposed.
  - h. Not applicable, no above-grade structured parking exists or is proposed.
3. Building Materials: All sides of the existing Silver Oak Building are from the same material and design characteristics, no alterations are proposed to change the existing appearance of the building.
4. No changes to the existing grading are proposed.
5. Not applicable, property not located in the Geologic Hazard overlay district.
6. No changes to the existing drainage system are proposed.
7. Parking will be updated to reflect designated vanpool and carpool spaces as required in Chapter 17.52. See Appendix G for a proposed Parking Lot Layout.
8. The Silver Oak Building is compliant, sidewalks and curbs are existing.
9. The Silver Oak Building is compliant; a well marked, continuous and protected on-site pedestrian circulation system is existing.

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10. The Silver Oak Building is compliant; the County maintains the site with a high level of periodic maintenance at a level comparable to all other buildings on the campus.
11. There are no changes proposed to existing trees at the Silver Oak Building, see 17.41 in this memorandum.
12. There is no proposed work in the Natural Resource Overlay District at part of the 2012 Update.
13. There are no uses proposed for the Silver Oak Building which would not comply with applicable federal, state and city standards pertaining to air, water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference.
14. There are no proposed changes due to use for the current water and sanitary sewer facilities.
15. There are no proposed changes to the right of way, streets, pedestrian ways, bike routes and adjacent transit facilities at the Silver Oak Building.
16. There are no proposed changes that have triggered a change in the transit facilities on Beaver Creek Road from Tri-met.
17. There are no proposed changes to the utilities at the Silver Oak Building.
18. There is code compliant access and parking for physically handicapped people. No changes are proposed at the Silver Oak Building to affect the accessibility of the site.
19. Not applicable, commercial development.
20. Screening of mechanical equipment: No mechanical equipment is proposed for the Silver Oak Building in the 2012 Update.
21. Building Materials:
  - a. No changes are proposed to the Silver Oak Building materials.
  - b. Special Material Standards: **No changes are proposed with special materials. Fence proposed is made primarily from wrought iron, an accepted material for fencing and has painted concrete columns which will match the colors of the building.**
22. Conditions of Approval: The County understands that to ensure compliance with this chapter they may be required 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.

## *17.62.055 Institutional and Commercial Building Standards*

No changes are proposed to the existing Silver Oak Building as permitted in 2004.

## *17.62.085 Refuse and Recycling Standards*

No changes are proposed to the two existing garbage areas located on the south side of the Silver Oak Building which are compliant with 17.62.085 requirements.

## *17.62.095 Performance Guarantee*

The County understands that Performance Guarantees may be required as part of the conditions of approval.

## *17.65 Master Plans*

## *17.65.050 General Development Plan*

# Memorandum

- A. The acquisition of the Silver Oak Building reflects the Clackamas County's commitment to consolidate their programs and departments onto the Red Soils Campus and to minimize leases where possible.

The incorporation of the Silver Oak Building, like the Central Utility plant before it, is consistent with the comprehensive Master Plan goals and does not affect the timeline of the Full Build-Out.

1. The Red Soils Master Plan 2012 Update incorporates the Silver Oak Building into the vision of the Master Plan and diagrams depicting connectivity, 'Rooms', Program, open space, street plan, parking, and pedestrian and bicycle access.

## B. Submittal Requirements

### 1. Narrative Statement for the proposed development:

- a. No change proposed to the timeline of the Full Build-Out (2030).
- b. See the Appendix plans and Chapter 4 of the 2012 Update.
- c. The acquisition of the Silver Oak Building is an intermediate phase which has no affect on the timeline or phasing proposed in the previous Master Plans.
- d. The acquisition of the Silver Oak Building reflects the Clackamas County's commitment to consolidate their programs and departments onto the Red Soils Campus and to minimize leases where possible. The incorporation of the Silver Oak Building, like the Central Utility plant before it, is consistent with the comprehensive Master Plan goal to better serve the citizens of the County by consolidating services to the Red Soils Campus.
- e. The incorporation of the Silver Oak Property will not have an impact on the inventoried Goal 5 natural, historic or cultural resources of the development boundary.
- f. No impacts have been found to any of the surrounding community and neighborhood from:
  1. Transportation: a Trip Comparison by Kittleson found no impacts.
  2. Parking and circulation and connectivity should not be impacted.
  3. No changes to public facility infrastructure or demand.
  4. No change to neighborhood livability.
  5. No change that would impact natural, cultural, and historic resources.
- g. Trips should be reduced as indicated in the Trip Comparison Memo by Kittleson.
- h. Transportation Study not recommended by Kittleson.
- i. Transportation Study not recommended by Kittleson.
- j. No changes are proposed that affect the existing development standards.

### 2. Maps and Diagrams

- a. Site Circulation: See Chapter 4, Master Plan.
- b. Transportation System: See Street Plan Chapter 4, Master Plan.
- c. See Appendix B, Engineering Site Plans.
- d. See Phasing Diagram and Program by Phase in Chapter 1, Executive Summary.
- e. See Open Space Chapter 4, Master Plan.

## C. Approval Criteria

1. Incorporation of the Silver Oak Building and fence height adjustment are consistent with the purpose of the Red Soils Master Plan which allows the County to plan for long term growth management and provide security to the public safety operation functions.
2. The incorporation of the Silver Oak Building will not impact the transportation system.
3. No changes are proposed at the Silver Oak Building that will impact public services or access by police, fire, sanitary waste disposal or storm water disposal.

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4. No changes are proposed that impact the natural, cultural, or historic resources or overlay districts.
5. The fence height adjustment requested at the Silver Oak Building is mitigated by additional landscaping proposed on site:
  - a. The County proposes landscape screening along the southern property line, adjacent to Hillendale Park and additional plant material along the pedestrian path.
6. The general development plan is consistent with the Oregon City Comprehensive Plan and the incorporation of the Silver Oak Building into the Red Soils Campus is consistent with that plan.

## *17.65.060 Detailed Development Plan (respond to item B for the development proposed)*

- B. Approval Criteria. The community development director shall approve an application for detailed development plan approval only upon findings that:

1. All development standards and impact mitigation meet the requirements of the approved general development plan, including conditions of approval:

Parking lot landscaping: not currently compliant, Clackamas County proposes to add landscaping planters in the parking area to mitigate the non-compliance and bring the development into current Oregon City Municipal Standards.

Fencing height: Clackamas County requests a Code Adjustment to allow an eight-foot wrought iron and painted concrete column fence in an area visible from the park, but screened by existing and new landscaping.

2. Any other applicable zoning regulations that are not addressed in the general development plan are met, unless an adjustment to those regulations has been applied for and is approved. The approval standards applicable to adjustments required as part of a master plan are contained in Section 17.65.070:
  1. Clackamas County is not requesting a change in use that is not allowed in an MUE zone.
  2. Clackamas County is requesting a change to a regulation that contains the word 'prohibited', as an exception granted by the Community Development Director. The fence is not on a street and will help to prevent vandalism on County Property and meet accreditation requirements for Evidence Facilities.
  3. As an exception to a threshold review, such as a Type III review process: not applicable in this development proposal.
  4. An exception to allow a use not identified as a permitted or conditional use in the the zone: not applicable to this development proposal.
3. The detailed development plan conforms with the standards contained in Chapter 17.62, unless adjusted as provided in Section 17.65.070:

# Memorandum

Proposed development conforms to standards in 17.62 and requests a material and height adjustment for fencing.

## 17.65.070 Adjustments to Development Standards

A. Purpose: The County understands and supports the City's master plan process and the request for fence adjustments in height will only be used in this Master Plan update at the Silver Oak Building.

B. Procedure: Clackamas County is requesting an adjustment in the 2012 Update for fencing:

1. An eight-foot high wrought iron and painted concrete fence at the Silver Oak Building. The Fence would run along the existing curb 25-feet inside of the property line leaving the utility and pedestrian easement unchanged.
2. The previous use of unpainted chain link fencing with barbed or razor wire at heights of 8-feet, 12-feet and 24-feet at the Adult Detention Facility and other location on Campus indicated on page 63 of the Master Plan. This fencing occurs around the perimeter of the Sallyport and Sallyport entrance/exit, Kitchen delivery and loading area, inmate exiting path, and along the southwest elevation by the walled outdoor exercise area. Where possible and practical given security concerns landscaping and was used to mitigate the visual appearance of the fencing. Additional locations of non-conforming fences on campus include garbage enclosures, mechanical equipment enclosures and a facility fence around the Shaver building. These fences have been in-place prior to the restrictions on the use of chain link.

C. Regulations that may not be adjusted:

1. No primary or accessory use that is not allowed is being requested.
2. Items which are prohibited: Chain link fencing is a prohibited use, however, it is not being proposed on a main public thoroughfare or public right of way. It is also proposed to be painted to reduce the visual appearance.
3. Pre-application meetings with City did not indicate a Type III review process for the fencing adjustment request.
4. No exceptions to allow a use not identified as a permitted or conditional use in the underlying zone are being requested.

D. Approval Criteria: A request for an adjustment to one or more applicable development regulations under this section shall be approved if the review body finds that the applicant has shown the following criteria to be met: (respond to item 17.65.070.D.6 for the development proposed)

1. Equally or better meet the purpose of the regulation to be modified:
  - a. The use of a 12-foot high painted chain link fence at the Silver Oak Building will appear as a practical, fiscally sound improvement for a Back Room application. If the County were to install a wrought iron, or other costly fencing material in this application the public might complain of misuse of taxpayer funds.
  - b. The prior use of chain link at the Adult Detention Facility is not because it is a low quality fencing material as the heights require an engineered footing and excavation during installation and the gage of wire resists cutting. This type of fencing is used predominantly at jail facilities and is a recognized attribute of a jail that both warns, deters and secures. Low shrubbery at the base allows vulnerability by cutting, and trees placed to close allow for security breaches.

# Memorandum

2. The cumulative effect of the adjustments results in a project that is still consistent with the overall purpose of the zone:
  - a. The cumulative existing non-conforming fencing and the proposed fencing at the Silver Oak Building does not affect the overall purpose of the zone. New buildings and alterations will need to follow City of Oregon City procedures for design review and permitting.
3. City-designated Goal 5 resources are protected to the extent otherwise required by Title 17:
  - a. Although there are natural resource overlay districts on the Campus, the proposed and exiting fencing does not affect the quality of the resource.
4. Any impacts resulting from the adjustment are mitigated:
  - a. The County proposes additional mitigation with landscape screening along the southern property line, adjacent to Hillendale Park and additional plant material along the pedestrian path. See the revised Landscape Plan L1.
5. If an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable. (Ord. 03-1014, Att. B3 (part), 2003):
  - a. Although there are natural resource overlay districts on the Campus, the proposed and exiting fencing will not have an impact of the resource.
6. The proposed adjustment is consistent with the Oregon City Comprehensive Plan and ancillary documents:

Clackamas County requests a variance to the Oregon City Comprehensive Plan to allow for approval on material and height change to fencing on the Red Soils Campus:

  - a. The proposed eight-foot fence for the Silver Oak Building will provide a first line of security for the facility and forego a request for barbed or razor wire at this location while integrally tying back to the building with painted concrete columns and wrought iron infill panels that are an acceptable fencing material for Oregon City.
  - b. The existing non-conforming fencing at the Adult Detention Facility allows the Sheriff and County staff to maintain a secure site for a building that is over 60 years old, has continual maintenance, deliveries and correctional activities on a daily round the clock basis.
  - c. The other existing non-conforming fencing identified on page 63 of the Master Plan screens garbage or mechanical equipment. Except for the Central Utility Plant Equipment Screen which completed a design review, the other fences have been in-place for many years

End of Municipal Code Responses

# Memorandum

Sincerely,

Rebecca Epstein, LEED AP, BD+C  
SERA Architects  
Project Manager

attachments:

- ✓ 12 copies Master Plan Update
- ✓ Signed Land Use Application
- ✓ Trips Comparison Letter-Kittleson
- ✓ Fee of \$5,624 by PO number 833890
  - Master Plan (Concept Plan) Amendment: \$3,233
  - Detailed Development Plan (minor): \$776
  - Transportation Study: \$1,600 (half of base fee)
  - Mailing Labels: \$15
- Letter to neighborhood association and neighbors within 300-feet of property (postage invoice, letter, and email correspondence with neighborhood chairs)
- Trio (sent independently by Lane Miller to Laura Terway)
- **Appendix G: Landscape Plan L1, color and black/white PDF**
- Bicycle Parking indicated on Landscape Plan L1
- Revised Program by Phase, page 12 from Red Soils Update for FAR information
- Revised Appendix F, page 82 from Red Soils Update for Proposed On-Site Parking current and 2030 Full Build-Out
- **Appendix C: Pictures of Non-Conforming Existing Fences**
- **Appendix H: Contextual Pictures**
- **Renderings of the proposed fence at the Silver Oak Building.**

cc: Marc Gonzales, Lane Miller, Jeff Jorgensen, Don Eggleston, file

5/29/2012  
Revised 9/07/2012  
Revised 12/01/2013  
Revised 3/25/2013



### 3.9 Existing Fencing and Screening

As mentioned in the Introduction, Public Safety Operations facilities such as the Adult Detention Facility (ADF), Juvenile Services, Sheriff, County and Technology Services and the Shaver Building have fencing and screening for public security. The ADF has 8-foot, 12-foot, and 24-foot high chain link fencing with barbed, concertina or razor wire at the top. The Shaver Building has 8-foot high slatted chain link with concertina wire. Both buildings require high security for public safety and the fencing has been in-place for many years. The other facilities which have existing chain link fencing for screening mechanical or garbage which have also been in-place for many years, prior to City of Oregon City requirements prohibiting the use of chain link and limiting fence heights to six-foot.

A diagram on page 63 identifies all of the Non-Conforming Existing Fencing on Campus to codify these locations into the Master Plan.



*Existing perimeter fence, ADF. Mud Creek Wetland foreground  
Fence: Chain link with barbed wire, 8-foot high.*



*Shaver Building: Slatted chain link with concertina wire,  
8-foot high*



*Existing perimeter fence at ADF  
Fence: Chain link with barbed wire, 8-foot high.*

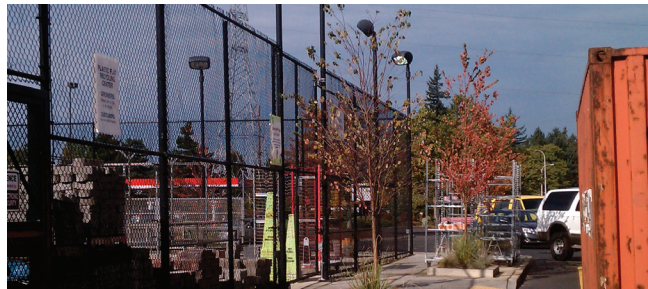


*Existing screening at Sheriff's Facility  
Fence: Slatted chain link, 8-foot high.*





*Portland Dispatch Center's Forked Privacy Fence  
Painted metal with forked top, 8-foot high.*



*Oregon City retail enclosure security fence*



*Central Utility Plant Equipment Enclosure  
Fence: Split face CMU with metal panels*

**Fencing Guidelines:** Providing a safe environment for public and staff safety is the most important consideration for the County. All departments in Federal, State and local agencies must be aware of a vast array of threats and incorporate recommendations from the Department of Homeland Security, State and local law enforcement agencies.

All new fencing on campus will follow the applicable requirements of the City of Oregon City at the time proposed during the Design Review and Permitting process. If exceptions to the City of Oregon City requirements are proposed, they will follow the adjustment procedures established by Oregon City.



*PSB generator equipment screening from Kaen Road  
Slatted painted chain link, 6-foot high.*

**Existing Fencing:** The diagram on page 63 identifies the existing non-conforming fencing currently on campus and proposed for the Silver Oak Building which requires a height adjustment from current Oregon City code to be built at eight-foot.

The existing non-conforming fences have been installed for many years and provide critical public security at facilities such as the Adult Detention Facility (ADF).

The Silver Oak Building will be a unique facility for the City of Oregon City and for the County, parallel to the security needs of the Adult Detention Facility. The County proposes to hold the following functions within the building footprint: the Emergency Operations Department, the County's Emergency Management Supplies, State Court Records, Clerk & Records Management and the Sheriff Department's Evidence and Crime Lab. These functions will operate during normal business hours, have few or no dedicated staff assigned to the area, and hold the private records of the County residents and evidentiary property like weapons, ammunition, narcotics, and biological samples. The County will provide layers of security within the building, but consider a fence the first line of building protection and deterrence.



*Proposed fence at the Silver Oak Building, pedestrian path at south elevation*



*Proposed fence at the Silver Oak Building, from Hillendale Park pedestrian path*

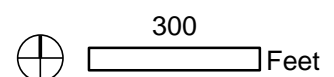


*Fence at the Central Utility Plant, screening and securing the mechanical equipment for the buildings on Campus.*





## Non-Conforming Existing Fences







Type A Fence, Juvenile Department



Type H Fence, Public Services Building



Type G Fence foreground, Storage Building  
Type D Fence background, Adult Detention Facility



Type D Fence, Adult Detention Facility



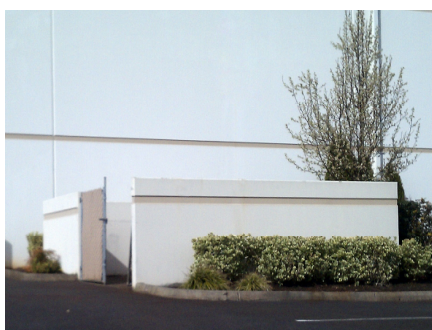
Type A Fence, Community Health



Type C Fence, Adult Detention Facility



Type H Fence, Technology Services



Type A1 Fence, Silver Oak



Type B Fence, Shaver Building



Type E Fence right, Adult Detention Facility  
Type C Fence left, Adult Detention Facility



Type D Fence, Adult Detention Facility



Type F Fence, Adult Detention Facility

Fence Type designations on Non-Conforming Existing Fences diagram





Red Soils Master Plan January 2012

- Zone A - Perimeter Landscaping**
- Requirements:
1. Minimum 6' wide landscape buffer. Existing condition complies.
  2. Trees spaced at a maximum of 35'. Trees to be added as shown.
  3. Plant material ground coverage requirement: 100%. Ground cover to be added as shown.
  4. Perimeter screening requirement: evergreen hedge 42" high or shrubs 4' on center. Gaps to be filled with additional shrubs as shown.

**Zone B - Parking Area/Building Buffer**

- Requirements:
1. Minimum 6' wide perimeter planting strip. Existing condition complies.
  2. Trees spaced at a maximum of 35'. Existing condition complies.

**Landscaping Zones**

The following landscape zones refer to those indicated in Oregon City Municipal Code Chapter 17.22 Off-Street Parking and Loading.

Indicates Zone Boundaries (See plan)

TOTAL LANDSCAPE AREA PROPOSED = 39,476.7 sq ft  
(= APPROXIMATELY 18.96 PERCENT, INCLUDES 117,235 sq ft OF EXISTING LANDSCAPE ALONG PATH)  
TOTAL PARKING LOT AREA = 410,610 sq ft  
(410,610 \* 0.10) = 41,061 sq ft of landscaping required

**PLANTING PLAN**



SCALE 1" = 20' - 0"

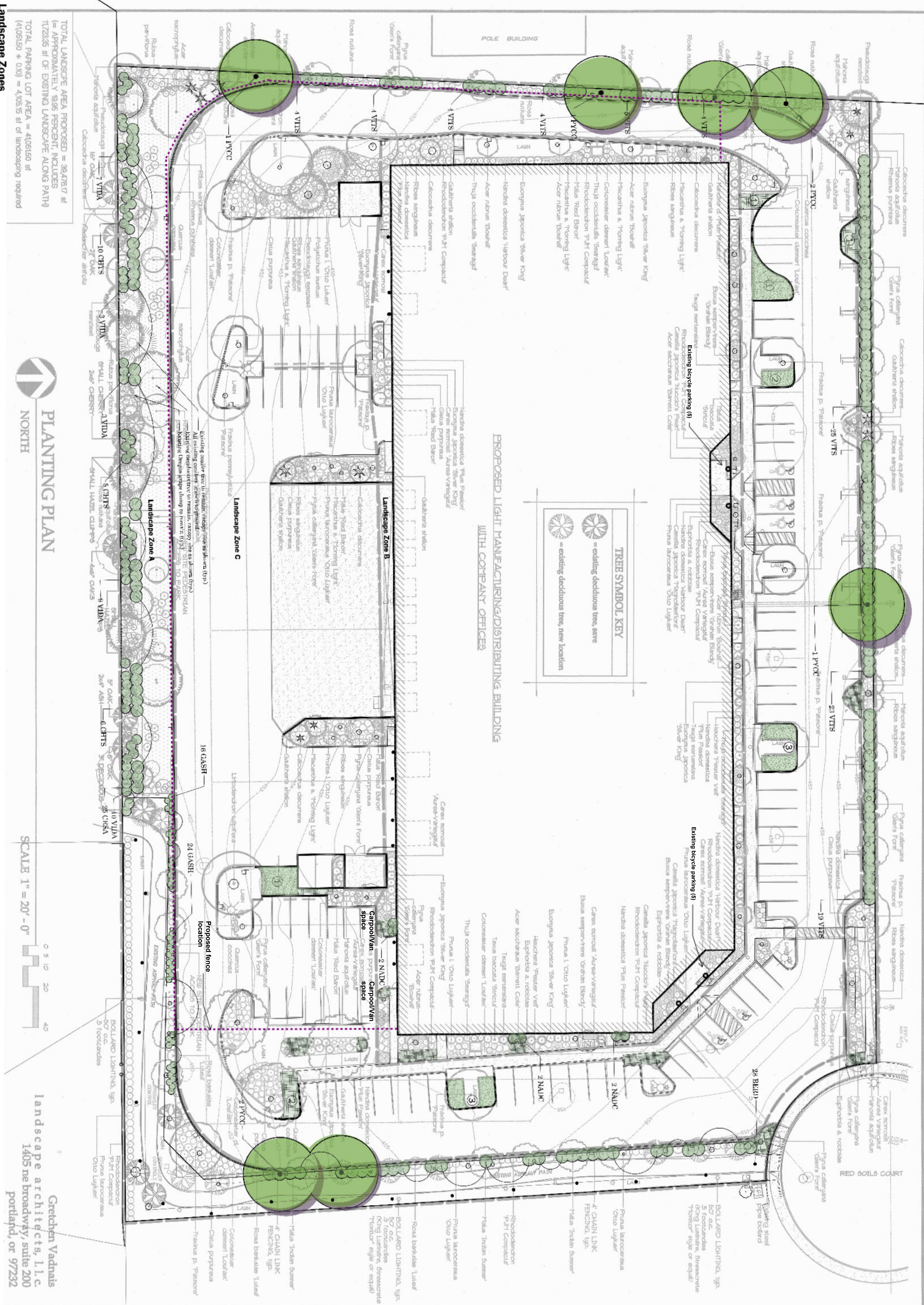
landscape architects, L.L.C.  
1405 NE Broadway, Suite 200  
Portland, OR 97232

**NOTES:**

The original landscape plan prepared by Gretchen Vadnais is shown enclosed back to UPS for reference. New planting is shown where existing planting required augmentation to meet existing landscape codes.

For new plantings, remove existing curbs and asphalt, install new curbs, where indicated, place 12" of gravel, expand existing irrigation to cover new areas and place 2" thick mulch only under canopy of new shrubs and within 2' of new trees.

1. Construct new planter
2. Remove one existing parking space and expand existing planter as shown.
3. Remove two existing parking spaces and expand existing planter as shown.



**TREE SYMBOL KEY**

	= existing deciduous tree, new
	= existing deciduous tree, new location

PLANT LIST			
KEY	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
TRC	<i>Pyrus calleryana</i> 'Autumn Blaze'	Autumn Blaze Pear	2" cal.
SHRUBS / GRASSES			
REB	<i>Parthenocissus</i>	Parthenocissus	6" gal.
CEA	<i>Ceanothus</i>	Ceanothus	6" gal.
CHS	<i>Chaenactis</i>	Chaenactis	6" gal.
GSH	<i>Gaultheria</i>	Gaultheria	6" gal.
NAD	<i>Nandina</i>	Nandina	6" gal.
WDA	<i>Wickstroemia</i>	Wickstroemia	6" gal.
VDA	<i>Viburnum</i>	Viburnum	6" gal.
GROUND COVERS			
COA	<i>Cornus</i>	Cornus	21" cal.
LAWN	<i>Lolium</i>	Lolium	6 lbs./1000 sq ft

**REGISTERED**  
Gretchen Vadnais  
ARCHITECT  
OREGON  
61652

**FHA & Associates**  
Consulting Engineers/Developers/Designers  
155 B Avenue, Suite 222  
Lake Oswego, Oregon 97034-3148  
Phone: (503) 636-1203 • Fax: (503) 636-1271

**DATE** 03-16-04  
**DRAWN BY** K.E.  
**CHECKED BY** G.V.  
**PROJECT NO.** 20020010

**PROJECT:** SILVER OAKS  
**CENTER BUILDING**  
**RED SOILS CAMPUS**  
**INDUSTRIAL PARK**  
**LOT No. 6**

**DATE** 03-16-04  
**DRAWN BY** K.E.  
**CHECKED BY** G.V.  
**PROJECT NO.** 20020010

**DATE** 03-16-04  
**DRAWN BY** K.E.  
**CHECKED BY** G.V.  
**PROJECT NO.** 20020010

**DATE** 03-16-04  
**DRAWN BY** K.E.  
**CHECKED BY** G.V.  
**PROJECT NO.** 20020010





Facility Enclosure at PGE on Warner Milne Road



Facility Enclosure at PGE on Warner Milne Road



Property Fences bordering Hillendale Park, east side

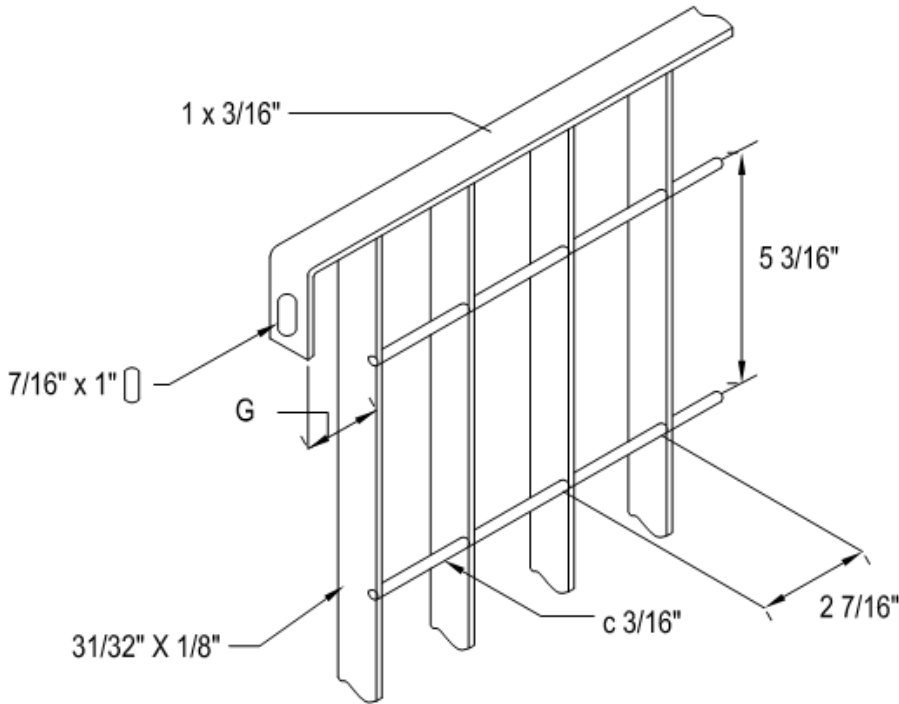


Hillendale Park baseball diamond, Silver Oak Building background



Hillendale Park basketball court, Type G fence at storage building background





Detail of proposed wrought iron infill panel



View looking north from Hillendale Park on pedestrian path



View looking west on pedestrian path





*View looking north toward Silver Oak Building from Hillendale Park*



*View looking northeast toward Silver Oak Building from the baseball diamond*



14 January 2013



Laura Terway, AICP  
Planner, Planning Division  
PO Box 3040  
221 Molalla Avenue, Suite 200  
Oregon City, Oregon 97045  
Phone: 503.496.1553  
Fax: 503.722.3880  
[lterway@orc.org](mailto:lterway@orc.org)

Re: Red Soils Master Plan, Amendment to include Silver Oak Building  
SERA Project No.: 10035  
CP 12-01 & DP 12-01

Dear Laura,

Attached to this cover letter are a revised memorandum where we have addressed discussion items which arose during the public hearing on December 10, 2012. Also attached are revised Appendix G which contains the landscape plan, and new appendices C, and H which contain pictures of non-conforming fences and contextual images, and rendering of the proposed fence at the Silver Oak Building.

Additionally, please use this letter as a formal request to remove page 63, entitled Proposed Fencing Types from the Red Soils Master Plan Update January 2012 and replace it in its entirety with a revised page 63 entitled Non-Conforming Existing Fences. This revised page better conveys the information which the County proposes to codify in this update. Our intention was not discuss the architecture of future buildings, but to request the acceptance of the non-conforming fences on campus and the revised page reflects the locations and descriptions of those fences in addition to an new Appendix C which provides photographs of the non-conforming fences.

Sincerely,

A blue ink handwritten signature, appearing to be "Rebecca Epstein", with a stylized, flowing script.

Rebecca Epstein, LEED AP, BD+C  
SERA Architects  
Project Manager

attachments:

- Revised Memorandum dated 14 January 2013
- Revised Appendix G: Landscape Plan L1
- Revised page 63 of the Master Plan Update, entitled Non-Conforming Existing Fences
- Appendix C: Pictures of Non-Conforming Existing Fences
- Appendix H: Contextual Pictures
- Renderings of the proposed fence for the Silver Oak Building
- Rooms Concept, page 40 from Master Plan

# Memorandum

cc: Marc Gonzales, Lane Miller, Jeff Jorgensen, Don Eggleston, file

4/30/2012

29 May 2012  
Revised September 7, 2012  
Revised January 12, 2013  
(revisions shown in red)



Laura Terway, AICP  
Planner, Planning Division  
PO Box 3040  
221 Molalla Avenue, Suite 200  
Oregon City, Oregon 97045  
Phone: 503.496.1553  
Fax: 503.722.3880  
[lterway@orc.org](mailto:lterway@orc.org)

Re: Red Soils Master Plan, Amendment to include Silver Oak Building  
SERA Project No.: 10035

Dear Laura,

SERA Architects is pleased to submit for your review the Red Soils Master Plan 2012 Update. Clackamas County is requesting a Type II Review for the following:

1. Amend the Red Soils Master Plan to include the Silver Oak Building.
2. Amend the use of the building from light industrial to warehouse storage and office.
3. Allow a powder coated (painted) chain link fence with slats at a height of twelve feet around the Silver Oak Building as shown on page 63 of the Master Plan 2012 Update.
4. Adjustment to the fence height and materials requirement of the Oregon City Municipal Code on the Red Soils Campus at the Silver Oak Building.
5. Codifying the **existing non-conforming fences on the Red Soils Campus identified on revised page 63**.
  - a. **Note: We request to remove the previous diagram of Proposed Fencing Types, page 63, discussed at the first public hearing and replace it with a diagram depicting the Non-Conforming Existing Fences.**

At this time Clackamas County is not requesting a lot line adjustment.

The Master Plan 2012 Update reflects changes relating to the above mentioned amendments and adjustments on the following pages:

- Page 2 (last paragraph): Introduces above mentioned amendments and adjustment requests.
- Page 3 (Context Map): Updated to include the Silver Oak Building on the Campus.
- Page 11 (Red Soils Campus Phasing): Updated to include Silver Oak Building on Campus.
- Page 12 (Red Soils Campus Program by Phase): Updated to include the Silver Oak gross square footage for Phase 2 and Full Build-Out.
- Page 13 (Enlarged Full Build-Out): Updated to include Silver Oak Building on Campus, no change from Page 11.
- Page 22 (Existing Conditions, Introduction): Revised to identify the past use of chain link at the 'Back Room' areas where public safety is a concern.
- Page 28 (Existing Conditions, Bicycle and Pedestrian Access & Parking): Note added to see Appendix E for Bicycle Parking Counts and Appendix G for Proposed Future parking per City requirements
- Page 29 (Existing Conditions, Existing Fencing and Screening): Revised to codify the use of unpainted chain link above the code required height (**6-foot**, 8-foot, 12-foot and **24-foot** with barbed



# Memorandum

wire or razor wire) at the County Jail/Adult Detention Facility (ADF). The existing chain link at this facility falls into two mitigation categories where public access abuts the fencing:

1. Hidden by an existing berm and mature trees at the border with Hillendale Park.
  2. Visual appearance reduced by mature trees, and meandering wetland landscaping as shown on Page 28, top picture.
- Page 61-62 (Master Plan, Fencing Guidelines): Section added to codify existing fencing around the County Jail/Adult Detention Facility and amend fencing material use and height at other areas on Campus per *Non-Conforming Existing Fences* diagram on Page 63.
  - ~~Page 63 (Master Plan, Proposed Fencing Types diagram): Added to identify areas of existing and proposed fencing for the Full Build-Out.~~
  - Appendix A Site Plan: New sheet showing utility and topographic survey of the Silver Oak Building.
  - Appendix B Engineering Site Plans: Revised to include Silver Oak Building on Campus.
  - *Appendix C: Pictures of the Non-Conforming Existing Fences identified on Page 63 of the Master Plan Update.*
  - Appendix E Bicycle Parking Requirements: New sheet reflecting existing and proposed bicycle parking.
  - Appendix F: Proposed On-Site Parking reflecting the addition of the Silver Oak Building into the Campus parking counts. (Revised sheet attached to the September revised memorandum)
  - Appendix G: Proposed ~~Parking Layout~~ Landscape Plan for Silver Oak Building to meet current parking lot landscaping code and *additional landscape screening at the proposed fence around the Silver Oak Building.*
  - *Appendix H: Contextual Pictures.*

***Applicable Oregon City Municipal Code as it applies to the incorporation of the Silver Oak Building or the other proposed amendments from the above list:***

## **12.04 Streets, Sidewalks and Public Places**

No changes are proposed to the street (Red Soils Court), sidewalk or public places at the Silver Oak Building or in the Red Soils Master Plan.

Description of existing conditions:

### Streets

The Silver Oak building is accessed by vehicles from Red Soils Court at the west quarter of the cul-de-sac, the building has an asphalt drive and parking area which circles the property.

### Sidewalks

Pedestrians access the building from the public sidewalk on Red Soils Court which turns at west curb-cut and enters the property. The sidewalk travels approximately sixty-feet onto the site and a marked crossing takes pedestrians across the drive aisle to a building entrance on the east side and sidewalk adjacent to the building on the north or east side. The crossing has a curb cut and scored concrete on each side.

### Public Places

The curb cut at the right of way and sidewalk are continuous along the property line at the cul-de-sac. There are pedestrian ramps at the curb cuts and at the entrance to the pedestrian easement to access the Hillendale Park. The easement path is constructed from asphalt and is eight-foot wide. Path, drive aisle, curb cut and sidewalks are in very good condition. An existing four-foot high up-painted chain link fence separates the easement from the remainder of the Silver Oak property. No changes are proposed to the existing easement separation fence.

5/29/2012

Revised 9/07/2012

Revised 12/01/2013

# Memorandum

## **12.08 Public and Street Trees**

No changes are proposed to the public and street trees at the Silver Oak Building or in the Red Soils Master Plan.

Description of existing conditions:

### *12.08.015 Street Tree Planting and Maintenance Requirements*

The Silver Oak Building has nearly mature vegetation and trees throughout the property per Oregon City requirements in 2004 when it was originally permitted.

- A. The two trees which flank the right of way from the cul-de-sac are approximately 50-feet apart, separated by the right of way which accounts for the entire frontage on the cul-de-sac.
- B. Clearance distances:
  - 1. The existing tree on the north side of the right of way is ten-feet from the street light.
  - 2. The tree on the east side is just over five-feet from the hydrant. The other hydrants on the property are located in planters of low ground cover.
  - 3. There are no intersections in the cul-de-sac.
  - 4. There are no power lines near the street trees.
- C. The trees and landscaping are nearly mature, planted in 2004, and in good condition.
- D. All vegetation shall be trimmed to maintain sight lines, allow street cleaning equipment, and provide ADA clearance along the easement path, public sidewalk and clearance to utilities.

### *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.

- a. Existing frontage trees in good condition on Red Soils Court as are trees along pedestrian easement and shared property line with Hillendale Park.

### *12.08.025 General Tree Maintenance*

Clackamas County shall be responsible for maintaining the planting area within the pedestrian easement and abutting the owner to the east on the Silver Oak property and along the public right of way at the property line.

### *12.08.030 Public Property Tree Maintenance*

The City of Oregon City shall have the right to plant, prune, maintain and remove trees, plants and shrubs in all public rights-of-way and public grounds, as may be necessary to ensure public safety or to preserve and enhance the symmetry or other desirable characteristics of such public areas. The Natural Resources Committee may recommend to the community development director the removal of any tree or part thereof which is in an unsafe condition, or which by reason of its nature is injurious to above or below-ground public utilities or other public improvements.

### *12.08.035 Public Tree Removal*

There are no plans to remove public street trees at the Silver Oak Building.

### *12.08.040 Heritage Trees and Groves*

There are no identified heritage trees or groves at the Silver Oak Building.



# Memorandum

## 17.31.10 MUE

Current proposed Mixed Use Employment (MUE) District Uses for the Silver Oak building are to move County functions from leased space adjacent to the Red Soils Campus or from current facilities on Campus into the building. No other use changes are proposed for Red Soils Master Plan.

### *17.31.020 Permitted Uses*

Clackamas County is proposing to change the use from Light Industrial to 32% Office and 68% warehousing.

### *17.31.030 Limited Uses*

Clackamas County is not proposing any uses which fall into the Limited Use category.

### *17.31.040 Conditional Use*

Clackamas County is not proposing any uses which fall into the Conditional Use category.

### *17.31.050 Prohibited Use*

Clackamas County is not proposing any uses which fall into the Prohibited Use category.

### *17.31.060 B, F and G Dimensional Standards (Added August 2012)*

Respond/Calculate for the Campus: Clackamas County is not proposing any Dimensional Standard criterion changes for the Silver Oak Building:

B. Minimum Floor Area Ratio: 0.25

1. Floor Area Ratio for the Full Build-Out (2030): 0.40
2. See revised page 12, Red Soils Campus: Program by Phase attached to this Memorandum to replace page 12 in the 2012 Update, FAR information shown here added to that sheet.

F. Maximum site coverage of the building and parking lot: Eighty percent.

1. Site coverage of the building and parking lot for Current (2011) phase: fifty-seven percent
2. Site coverage of the building and parking lot for Full Build-Out (2030): sixty-one percent

G. Minimum Landscape requirement for the campus (including parking lot): twenty percent

1. Landscape for the Current (2011) Campus: forty-three percent
2. Landscape for the Full Build-Out (2030) Campus: thirty-eight percent
3. Silver Oak Building: The landscaping covers 22% of the site, but the current parking lot landscaping does not meet current Oregon City Municipal Code requirements for one tree per eight stalls. See Section 17.52.060 Parking Lot Landscaping for mitigation proposal to add parking lot landscaping and the Appendix G: Proposed Landscape and Parking Plan for Silver Oak.

### *17.31.070 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.

# Memorandum

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.
  - a. Not Applicable, Silver Oak is more than 10,000 square feet.
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.
  - a. Not applicable to the Silver Oak building inclusion into the Red Soils Campus.
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.
  - a. For the Current (2011) Phase the proposed total area is 85,697 square feet 32% Offices and 68% Storage Warehouse. The enlarged area from the building footprint of 68,419 square feet represents a proposed fully accessible two-story space within the building to maximize the storage warehouse potential.
  - b. For the Full Build-Out (2030) Phase the proposed total area is 136,838 with 18% Offices and 82% Storage Warehouse.
  - c. See revised page 12, Red Soils Campus: Program by Phase attached to this Memorandum to replace page 12 in the 2012 Update, FAR information shown here added to that sheet.

## **17.41 Tree Protection Standards**

Clackamas County is not proposing any tree removal as part of the proposed fence work around the Silver Oak Building as shown on Page 63 or as part of the Red Soils Master Plan.

Tree protection mitigation during proposed fence installation at the Silver Oak Building: Clackamas County will employ an arborist to recommend any necessary pruning or excavating procedures if the proposed fence is within the canopy of existing trees along its route. Arborist will also assist in recommendations on re-positioning of shrubs which may be adversely affected during fence installation.

## **17.49 Natural Resource Overlay District**

A portion of the Mud Creed Wetland buffer zone occurs on the south west corner of the previously developed Silver Oak Building site, but no development is proposed for this area as part of this 2012 Update or proposed fence work around the Silver Oak Building as shown on Page 63.

## **17.50 Administrative Process**

The Master Plan 2012 Update is requesting to incorporate the Silver Oak Building into the Red Soils Campus Master Plan, and amend OCMC fencing requirements through a Type II Land Use Review.

### **17.50.010 Purpose**

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Clackamas County is consolidating the following amendments and adjustments into this Type II Application:

1. Amend the Red Soils Master Plan to include the Silver Oak Building.
2. Amend the use of the building from light industrial to storage and office.
3. Allow a powder coated (electrostatically painted) chain link fence with slats at a height of twelve feet around the Silver Oak Building as shown on page 63 of the Master Plan 2012 Update.
4. Adjustment to the fence height and materials requirement of the Oregon City Municipal Code on the Red Soils Campus.
5. Codifying the **existing non-conforming fences on the Red Soils Campus identified on revised page 63.**

There is no grading work proposed as part of the 2012 Update or the amendments above.

## *17.50.040 Development Review in Overlay Districts and for Erosion Control*

There is no work proposed in the 2012 Update that affects the Natural Resource Overlay District, Greenway or Geologic Hazards or erosion control.

## *17.50.050 Pre Application Conference*

Two separate pre-application meetings were held on: August 17, 2010 and March 20, 2012.

## *17.50.055 Neighborhood Association Meeting*

Clackamas County will hold a meeting with affected Neighborhood Associations within three-hundred feet of the Red Soils Campus. Neighborhood Association representatives have been contacted to request their mailing addresses to send the certified letter describing the project and requesting a meeting. Documentation of the letter and all other communication as indicated in 17.50.055 will be sent to the Planning Department after the meeting is held.

## *17.50.060 Application Requirements*

Clackamas County is the sole contract purchaser of the property and the building built in 2004 at 1810 Red Soils Court in Oregon City. The County Map and Tax Lot number is 3-2E205C-00806 and the Clerk's reporting number is 2010-027278 for the Statutory Warranty Deed. The Purchasing Director, Lane Miller, has asked that you contact him directly if more information is needed on the title. His contact information is: [lanem@co.clackamas.or.us](mailto:lanem@co.clackamas.or.us)  
Phone: 503.742.5444

Completed on May 13, 2012 by Email from Lane Miller to Laura Terway

## *17.50.080 Complete Application – Required Information*

The 2012 Update was submitted on **April 30, 2012**, more information was requested on May 16, 2012 by the Planning Department. The additional information was sent to the Planning department on May 29, 2012. The following information was submitted in total:

- A. Completed and signed Land Use Application.
- B. Complete list of permit approvals sought: Contained in this memorandum.
- C. Title Report: Statutory Warranty Deed information provided, contact Clackamas County directly for more information.
- D. A complete narrative description of the proposed development: Silver Oaks building and property incorporated into the Red Soils Master Plan document as the 2012 Update, also incorporated are existing and proposed fence information for determination on codifying the existing and amending the proposed fencing height and materials.
- E. Up to 21-copies of the proposed development: The planning department has requested 12 copies of final documents.



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- F. One copy of the site plan: Included in the Red Soils Master Plan 2012 Update as Appendix A.
- G. Mailing labels for notice to all parties entitled under 17.50.090: A \$15 fee has been paid in lieu of mailing labels.
- H. Applicable fees:
  - A Fee of \$5,624 by PO number 833890 was transferred that included:
    - a. Master Plan (Concept Plan) Amendment: \$3,233
    - b. Detailed Development Plan (minor): \$776
    - c. Transportation Study: \$1,600 (half of base fee)
    - d. Mailing Labels: \$15
- I. Annexation Agreements: No annexation.
- J. Additional documentation: None requested.

## *17.50.090 Public Notices Notice of Type II Applications.*

When this application is deemed complete, the city shall prepare and send notice of the application with the fee provided with the application, by first class mail, to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. Pursuant to Section 17.50.080G. Clackamas County will be responsible for posting the subject property with the city-prepared notice in accordance with Section 17.50.100. The notice shall include the following information:

1. Street address: 1810 Red Soils Court, Oregon City
2. Proposal (or as written by Planning staff per Section 17.50.100):
  - Incorporation of the Silver Oak property into the Clackamas County Red Soils Campus to consolidate County functions into owned property and reduce the use of leased space.
  - Allow a change of use for the Silver Oak Building from Light Industrial to Office and Warehouse use.
  - Allow a twelve-foot fence powder coated (painted) and slatted chain link fence at the south side of the Silver Oak property abutting Hillendale Park to maintain security of fleet vehicles and Sheriff's Evidentiary Property.
  - Formal Planning Commission approval for the prior use of un-painted chain link and chain link with barbed or razor wire above current zoning code at the County Jail on the Campus.
3. Any interested party may submit to the city written comments on the application during a fourteen-day comment period prior to the city's deciding the application. (Dates and instructions to be provided by the City when known).
4. Any issue which is intended to provide a basis for an appeal must be raised in writing during the fourteen-day comment period with sufficient specificity to enable the city to respond to the issue.
5. The application and all supporting materials may be inspected, and copied at cost, at city hall during normal business hours.
6. Planning staff person assigned to the application or is otherwise available to answer questions about the application: (to be provided by City)
7. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to Section 17.50.290C. must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal

## *17.50.100 Notice Posting Requirements*

Notice posting shall following the guidelines of this Section.

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- A. Guidance and Responsibility: The City shall provide the notices and the timeline for Clackamas County to post and remove signs. Clackamas County shall also sign the statement provided by the City verifying the notices were posted at the correct time.
- B. Number and Location: Notices shall be placed by Clackamas County per the requirements of this section, not in the public right of way or on trees and they shall be removed within ten days of the posted date on the notice.

## *17.50.110 Assignment of Decision Makers*

Clackamas County understands that this Type II Application is rendered by the Community Development Director and is appealable to the city commission with notice to the planning commission. The city commission decision is appealable to LUBA.

## *17.50.120 Quasi-Judicial Hearing Process*

Not Applicable to this Type II Application.

## *17.50.130 Conditions of Approval and Notice of Decision*

Clackamas County understands that:

- A. The City has the authority to impose reasonable conditions of approval to ensure that all applicable approval standards are, or can be, met.
- B. Failure to comply with any conditions of approval shall be grounds for revocation of the permit(s) and code enforcement.
- C. Notice of the Decision shall be sent by first class mail to all persons with standing or requested notice of the decision. The notice shall include:
  - 1. The file number and date of decision;
  - 2. The name of the applicant, owner and appellant (if different);
  - 3. The street address or other easily understood location of the subject property;
  - 4. A brief summary of the decision, and if an approval, a description of the permit approved;
  - 5. A statement that the decision is final unless appealed and description of the requirements for perfecting an appeal;
  - 6. The contact person, address and a telephone number whereby a copy of the final decision may be inspected or copies obtained.
- D. Any request to modify a condition of permit approval is to be considered either minor modification or a major modification and shall be processed as a Type I as indicated in 17.50.130.

## *17.50.140 Performance Guarantees*

Clackamas County understands that performance guarantees may be required as a condition of approval. However, if a performance guarantee will be required the County requests the opportunity to speak, as one government entity to another, with the decision-maker prior to issuance of this requirement.

## **17.52 Off Street Parking and Loading**

### *17.52.010 Applicability*

The site currently holds more parking than required by code for the proposed use of 32% Office and 68% Warehouse and for Parking Lot Landscaping. See proposed mitigation below.

### *17.52.020 Number of Automobile Spaces Required*

The plan reflects a reduced stall count, from 109 to 90 spaces, to align with the parking count required by Table 17.52.020 and 17.52.060 for parking lot landscaping. See Appendix F: Proposed On-Site Parking,

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and a revised site plan showing additional parking lot landscaping to meet current Oregon City Municipal Code requirements for one tree per six stalls is provided in Appendix G of the 2012 Update.

## 17.52.030 Standards for Automobile Parking

- A. Not Applicable to the Silver Oak Property or parking lot landscaping proposed.
- B. Existing asphalt drive is in excellent condition and is adequately maintained by the County. No changes to a pervious material are proposed at this time.
- C. No changes to the existing drainage system at the Silver Oak Building are proposed.
- D. The existing standard and accessible parking stalls comply with the City's requirements.
- E. See revised parking plan in Appendix G, **L1 Landscape Plan** for designated Carpool/Vanpool spaces.
  - a. **Amount of Carpool/Vanpool spaces identified: Two (2) spaces, code minimum. Proposed in the secure area of the Silver Oak Building Site.**

## 17.52.040 Bicycle Parking Standards

No changes are proposed to the existing bicycle parking racks which provide 10 spaces at the Silver Oak Building and meet Table A requirements for the use. See Appendix E for a Campus wide tabulation of bicycle parking.

- a. **Existing bicycle parking at the Silver Oak Building identified in Appendix G, L1 Landscape Plan.**

## 17.52.060 Parking Lot Landscaping

### A. Development Standards:

1. Located in defined areas that are uniformly distributed: Existing landscaping meets this criterion.
2. All areas not used for parking are landscaped: Existing landscaping meets this criterion.
3. Trees should be a mix of deciduous and coniferous and evenly distributed throughout the parking area: Additional Landscaping to be added to meet this requirement, See attached Landscape Plan, L1.
4. Trees shall be a minimum two-inch caliper size, planed according to American Nurserymen Standards and selected from the Oregon City Street Tree List: Existing landscaping meets this criterion.
5. Landscaped areas shall include an irrigation system unless an alternate plan has been approved by the community director: Existing landscaping has an irrigation system, new landscaping is incorporated into the existing system.
6. All plant materials should be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage and staggered flowering periods: Existing landscaping meets this criterion.
7. The landscaping shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of Chapter 10.32. Traffic Sight Obstructions: Existing landscaping meets this criterion.
8. Landscaping shall incorporate design standards in accordance with Chapter 13.12 Stormwater Management: Existing landscaping meets this criterion.

B. Perimeter Parking Lot Landscaping and Parking Lot Entryway Screening: Existing landscaping meets this criterion.

C. Parking area/Building Buffer: Existing landscaping meets this criterion.

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## D. Interior Parking Lot Landscaping:

- a. Minimum of one tree per eight parking spaces: Existing landscaping does not meet this criterion.

Clackamas County proposes to mitigate this condition by converting parking spaces to landscaped planters. See proposed Landscape Plan L1.

- b. Ground cover covering one hundred percent of the exposed ground within three years, no bark mulch except under the canopy of shrubs and within two feet of the base of trees: Existing landscaping meets this criterion.
- c. Shrubs spaced no more than four feet apart on average: Existing landscaping meets this criterion.
- d. No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them. 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: Existing landscaping meets this criterion.
- e. Pedestrian walkways shall have shade trees spaced a maximum of every thirty-five feet in a minimum three-foot by five-foot tree well; or trees spaced every thirty-five feet, shrubs spaced not 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: Existing landscaping meets this criterion.

1. Revised Landscape Plan L1 identifies additional planting along the pedestrian walkway in the easement.

E. Installation: Existing landscaping is well established and healthy and the irrigation system is working. Proposed work to reconcile the parking lot landscaping with current City code will be installed with an irrigation system.

## 17.52.070 Alternative Landscaping Plan

No alternative plan is being proposed as part of the 2012 Update.

## 17.54.0100 Fences, Hedges and Walls

General Fence, Hedge or Wall:

1. Heights for 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 17.54.100B.

Clackamas County requests a variance to the fence height at the Silver Oak Building. For the back (south, facing Hillendale Park) and rear (west, facing Campus property) the County requests to use a twelve-foot high fence for privacy screening and security. Large, existing trees which run along the southern property line adjacent to the park do not screen the entire area adequately. A proposed use of the Silver Oak Building is to house the Sheriff's Evidentiary material and to park Sheriff's fleet vehicles at the south parking area. Evidentiary material falls under strict Chain of Custody requirements set forth by



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the State and National Accreditation Boards and the County wishes to screen the southern elevation from view so as not to draw attention to the presence of the Sheriff's vehicles and other County activities. See Page 63 of the 2012 Update for the **Non-Conforming Existing Fences** Diagram, and see 17.62.050 in this memorandum for a material variance for the proposed fence.

Clackamas County is requesting the approval a physical barrier between the Silver Oak Building and Hillendale Park to deter intrusion and protect the property. Standard practice for securing a facility is to start from the outside and move in, with layers of secured zones. At the Silver Oak Building evidentiary material will be brought into the facility through the overhead loading doors on the south elevation directly into spaces where it will be processed for use. The overhead loading doors will be alarmed, but the single act of opening them to transfer in a demolished vehicle or a fleet vehicle carrying the bloodied materials taken from a crime scene can put the material and staff into unnecessary risk. The overhead doors should be considered, at a minimum, zone two working inward, a perimeter fence would be zone one.

## National Requirements

Nationally, the Clackamas County Sheriff's department can pursue accreditation individually for each discipline: controlled substances, trace evidence, toxicology, firearms/tool marks, latent prints, digital and multimedia evidence, crime scene forensics and questioned documents; or as a whole through two separate agencies.

- a. The American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) which adheres to the *2011 Federal Bureau of Investigation (FBI) Quality Assurance Standards (QAS) for Forensic DNA Testing Laboratories, Chapter 6 and Chapter 7* which have the following requirements for the physical plant and environment:

Clearly written and well-understood procedures must exist for laboratory security. The laboratory's security system must control access and limit entry to the operational areas. Internal controlled areas shall limit access to only authorized personnel. The distribution system of all keys, combinations, etc. must be current, accurate, clearly documented, and available for review. Many other control systems which include card keys, surveillance cameras, and intrusion alarms, are acceptable when they complement the laboratory's security system by controlling unauthorized access and/or limiting authorized access to the operational laboratory and evidence storage areas.

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## Standard 6. Facilities

	Yes	No	N/A
6.1 Is the laboratory designed to ensure the integrity of the analyses and the evidence?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1.1 Is access to the laboratory controlled and limited in a manner that prevents access by unauthorized personnel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. Do all exterior entrance/exit points have security control?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the distribution of all keys, combinations, and other security devices, documented and limited to the personnel designated by laboratory management?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No	N/A
7.1.3 Does the laboratory have and follow documented procedures designed to minimize loss, contamination, and/or deleterious change of evidence and work product in progress?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1.4 Does the laboratory have secure, controlled-access areas for evidence storage and work product in progress?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- b. A second accreditation agency, the *American National Standards Institute/American Society of Quality (ANSI-ASQ) National Accreditation Board* requires adherence to both the 2011 FBI QAS (above) and the *International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) 17025 Accreditation and Supplemental Requirements for Forensic Testing Document 11* have the following requirements for the physical plant and environment:

*ISO/IEC 17025 Accreditation Requirements for Forensic Testing Document 11:*

*24.5.3 Physical plant and environment*

*24.5.3.3 Special care is needed in forensic testing laboratories involved in the analysis or determination of trace levels of materials, including DNA. Physical separation of high- level and low-level work is required. Where special areas are set aside for this type of work, access to these areas shall be restricted and the work undertaken carefully controlled. Appropriate records shall be kept to demonstrate this control.*

*24.5.3.4 a) Access to the operational area of the laboratory shall be controllable and limited. Visitors shall not have unrestricted access to the operational areas of the laboratory. A record shall be retained of all visitors to the operational areas of the laboratory.*

*b) Evidence storage areas shall be secure to prevent theft or interference and there shall be limited, controlled access. The storage conditions shall be such as to prevent loss, deterioration and contamination and to maintain the integrity and identity of the evidence. This applies both before and after examinations have been performed.*



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## State Requirements

A few states require accreditation through ASCLD/LAB or ANSI/ASQ for crime labs providing evidentiary material and the National Academy of Science has urged the federal government to make accreditation mandatory nationwide. Currently, Oregon has not adopted this requirement.

### a. Per ORS 133.537 Protection of things seized-liability of agency:

- (1) In all cases of seizure, an agency that seizes property shall take reasonable steps to safeguard and protect the things seized against loss, damage and deterioration.

Additionally, since the submission of the Master Plan Update in May of 2010, the County has considered housing State Records (currently leasing space on Red Soils Court), the Emergency Management Department (currently in the CCOM Building), Disaster Supplies and Clackamas County Passport Services (currently leasing space at 270 Beavercreek Rd) in the Silver Oak Building. These functions contain sensitive personal information as well as supplies to be distributed in a controlled manner during emergency events and will require a secure facility.

## County Fence Height Preferences

The County has found that fences under twelve-feet need barbed or concertina wire to deter entry. A twelve-foot fence is proposed at the Silver Oak Building to assist in providing a secure facility in addition to other measures which will be provided such as alarms, surveillance cameras and card readers at doors. Given the proximity and exposure to the park and pedestrian path a lower fence with barbed or concertina wire was not considered as an appropriate response by the design team.

The design team did not consider other materials for the proposed fence other than chain link as it is the most efficient and fiducially responsible material. Chain link is used at the baseball diamond and basketball court in the park, and for fencing at neighboring houses lining the park, it is contextual. Wood is susceptible to arson and requires maintenance. Wrought iron is double the cost of chain link and would require intermediate horizontal supports and another material, like expanded metal mesh welded onto the structure, to impede climbing. This would detract from a wrought iron fence's decorative appeal. See Appendix H for Contextual Pictures.

2. Hedges shall not be more than forty-two inches in the underlying front yard setback: Existing hedges comply with this requirement, ~~no new hedges are proposed~~, all existing hedges meet this requirement.
  - a. The County is proposing to add landscaping along the pedestrian path which would comply with height, spacing and species requirements. See revised Landscape Plan L1, Appendix G.
3. Property Owners shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon Municipal Code: Existing landscaping complies with Chapter 10.32 and Clackamas County will continually maintain the site to ensure compliance.
4. It is unlawful to erect electric fence or any fence constructed in whole or 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. No electric fences are proposed.

Clackamas County requests the formal approval of the Oregon City Planning Commission on prior installations of chain-link fencing at a height of six-feet, eight-feet, twelve-feet and twenty-four feet ~~some~~ with barbed or razor wire at the County Jail, ~~others at garbage enclosures or surrounding facilities (Shaver Building)~~ on the Red Soils Campus. The installations occur at areas off of the public right of way at highly sensitive points where security is a concern. See page 63, Non-Conforming Existing Fences for descriptions and locations.



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- B. Exceptions: Use of berm or other obstructing vegetation on retaining wall: Not applicable to the fence adjustments requested.

## **17.62 Site Plan and Design Review**

### *17.62.035 Minor Site Plan and Design Review*

A. Generally:

1. Modifications for the purpose of enhancing aesthetics: None proposed to the Silver Oak Building in the 2012 Update.
2. Modifications to the parking lot layout: Proposed modification to the Silver Oak Building to comply with current parking lot landscaping requirements. See Appendix G for proposed plan.
3. A maximum addition of up to one thousand square feet to a commercial, office, institutional, public, multi-family, or industrial building provided that the addition is not more than thirty-five percent of the original building square footage: No addition is proposed to the Silver Oak Building in the 2012 Update.
4. Other land uses and activities: Fence height and material adjustment for the Silver Oak Building and a fence height and material adjustment for previously installed fences ~~at the County Jail~~ **on campus.**

B. Application:

1. Requirements of Chapter 17.50: See response to criterion in this memorandum.
2. Narrative explaining all aspects of the proposal in detail and addressing each of the criteria listed in Section 17.62.035C: Silver Oak Building and Property integrated into the Red Soils Master Plan as the 2012 Update and responded to in this memorandum.
3. Site Plan drawings showing existing conditions/uses and proposed conditions/uses: See Appendix sheets of the 2012 Update and response to 17.31 of this memorandum requesting use change for the Silver Oak Building.
4. Architectural Drawings including elevations and envelopes: No architectural work is proposed for the Silver Oak Building in the 2012 Update.
5. Additional submittal material: not requested at this time.

C. Development Standards for Minor Site Plan and Design Review

1. All development shall comply with Section 17.62 and other sections may apply when deemed applicable: The Red Soils Master Plan has been updated to include the Silver Oak Building as part of the Campus and as such shall comply with the Master Plan provisions set forth in the document as an existing building.

### *17.62.040 Plans Required*

- A. Site Plans with items indicated in 17.62.040A: Drawings for the Silver Oak Building integrated into the 2012 Update.
- B. Landscape Plan: Not applicable, landscaping and irrigation systems are existing and healthy. Proposed change to add parking lot landscaping will match existing species and be at sizes required by code.
- C. Architectural drawings or sketches: Not applicable, no interior or exterior changes are proposed in the 2012 Update.
- D. Materials Board: Not applicable, no changes are proposed to the exterior materials.
- E. Erosion/Sedimentation Control Plan and a drainage plan: Not applicable, no changes are proposed to the existing drainage plan and no work is proposed which would affect erosion/sedimentation.
- F. Legal description of the site: See Appendix A in the 2012 Update.
- G. Exterior Lighting Plan: No changes are proposed to the lighting plan permitted in 2004.

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- H. Archeological Monitoring Recommendation: Site was previously fully developed and no archeological monitoring was recommended.
- I. Special Studies on traffic safety or capacity or natural resource areas as requested: The City of Oregon City requested a Traffic Trip Comparison study to determine if a formal traffic impact study is needed for the use of the Silver Oak building, however, the Trip Compression study by Kittleson (Dated November 14, 2011) found that there would be a net reduction in trips. See attached letter from Kittleson.
- J. Waiving the submission or requesting additional information: No waiver or additional information requested.
- K. Erosion Control Plan: Not applicable to this land review process.

## 17.62.050 Standards

1. Landscaping at the Silver Oak Building: Twenty-two percent of the site is landscaped from a previously permitted application process in 2004. No nuisance plans exist on-site.
  - a. All areas credited with landscaping have growing plant materials.
  - b. A small portion of the buffer region of a natural overlay district in the southwest corner of the site is preserved as a landscaping area with no development.
  - c. See proposed Landscape Plan, L1.
  - d. The property is not located in the Downtown Design District.
  - e. Landscaping is visible from public thoroughfares and the adjacent public park.
  - f. Twenty percent is buffer landscaping between adjacent property and around the building; the rest is parking lot landscaping.
2. Vehicular Access and Connectivity at the Silver Oak Building:
  - a. The Silver Oak property is located on the southwest quadrant of a cul-de-sac with the building at ninety degrees to the right of way. Parking is located in the back, sides and angled front corner of the site.
  - b. Previously permitted ingress and egress locations are located in the interest of public safety. No changes are proposed.
  - c. There are no alleys or vehicular access easements on the Silver Oak Property.
  - d. The site is not abutting an alley, not applicable.
  - e. Pedestrian access from the public sidewalk: is emphasized with landscaping and a bollard preventing vehicular traffic.
  - f. Easement to adjacent site in place: pedestrian and bicycle path and utility easement in place along east and part of south property.
  - g. Not applicable, no parking garage on property or proposed.
  - h. Not applicable, no above-grade structured parking exists or is proposed.
3. Building Materials: All sides of the existing Silver Oak Building are from the same material and design characteristics, no alterations are proposed to change the existing appearance of the building.
4. No changes to the existing grading are proposed.
5. Not applicable, property not located in the Geologic Hazard overlay district.
6. No changes to the existing drainage system are proposed.
7. Parking will be updated to reflect designated vanpool and carpool spaces as required in Chapter 17.52. See Appendix G for a proposed Parking Lot Layout.
8. The Silver Oak Building is compliant, sidewalks and curbs are existing.
9. The Silver Oak Building is compliant; a well marked, continuous and protected on-site pedestrian circulation system is existing.

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10. The Silver Oak Building is compliant; the County maintains the site with a high level of periodic maintenance at a level comparable to all other buildings on the campus.
11. There are no changes proposed to existing trees at the Silver Oak Building, see 17.41 in this memorandum.
12. There is no proposed work in the Natural Resource Overlay District at part of the 2012 Update.
13. There are no uses proposed for the Silver Oak Building which would not comply with applicable federal, state and city standards pertaining to air, water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference.
14. There are no proposed changes due to use for the current water and sanitary sewer facilities.
15. There are no proposed changes to the right of way, streets, pedestrian ways, bike routes and adjacent transit facilities at the Silver Oak Building.
16. There are no proposed changes that have triggered a change in the transit facilities on Beavercreek Road from Tri-met.
17. There are no proposed changes to the utilities at the Silver Oak Building.
18. There is code compliant access and parking for physically handicapped people. No changes are proposed at the Silver Oak Building to affect the accessibility of the site.
19. Not applicable, commercial development.
20. Screening of mechanical equipment: No mechanical equipment is proposed for the Silver Oak Building in the 2012 Update.
21. Building Materials:
  - a. No changes are proposed to the Silver Oak Building materials.
  - b. Clackamas County requests a variance to the fence material at the Silver Oak Building. For the back (south, facing Hillendale Park) and rear (west, facing Campus property) the County requests to use a powder coated (electrostatically painted) chain link fence with slats for privacy screening and security at a height of twelve-feet. Proposed color of fence and slats is either black or beige to match the Silver Oak Building.

The County wishes to screen the southern elevation from view so as not to draw attention to the presence of the Sheriff's vehicles and other County activities. Painted chain link is proposed as a fiscally responsible material for this back-of-house application and slats are proposed to prevent people from climbing or cutting the fence. See Page 63 of the 2012 Update for the Proposed Fencing Diagram, and see 17.54.0100 in this memorandum for a height variance for the proposed fence.

- c. Special Material Standards: No changes are proposed with special materials.
22. Conditions of Approval: The County understands that to ensure compliance with this chapter they may be required 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.

## *17.62.055 Institutional and Commercial Building Standards*

No changes are proposed to the existing Silver Oak Building as permitted in 2004.

## *17.62.085 Refuse and Recycling Standards*

No changes are proposed to the two existing garbage areas located on the south side of the Silver Oak Building which are compliant with 17.62.085 requirements.

# Memorandum

## *17.62.095 Performance Guarantee*

The County understands that Performance Guarantees may be required as part of the conditions of approval.

## *17.65 Master Plans*

### *17.65.050 General Development Plan*

A. The acquisition of the Silver Oak Building reflects the Clackamas County's commitment to consolidate their programs and departments onto the Red Soils Campus and to minimize leases where possible.

The incorporation of the Silver Oak Building, like the Central Utility plant before it, is consistent with the comprehensive Master Plan goals and does not affect the timeline of the Full Build-Out.

1. The Red Soils Master Plan 2012 Update incorporates the Silver Oak Building into the vision of the Master Plan and diagrams depicting connectivity, 'Rooms', Program, open space, street plan, parking, and pedestrian and bicycle access.

### B. Submittal Requirements

#### 1. Narrative Statement for the proposed development:

- a. No change proposed to the timeline of the Full Build-Out (2030).
- b. See the Appendix plans and Chapter 4 of the 2012 Update.
- c. The acquisition of the Silver Oak Building is an intermediate phase which has no affect on the timeline or phasing proposed in the previous Master Plans.
- d. The acquisition of the Silver Oak Building reflects the Clackamas County's commitment to consolidate their programs and departments onto the Red Soils Campus and to minimize leases where possible. The incorporation of the Silver Oak Building, like the Central Utility plant before it, is consistent with the comprehensive Master Plan goal to better serve the citizens of the County by consolidating services to the Red Soils Campus.
- e. The incorporation of the Silver Oak Property will not have an impact on the inventoried Goal 5 natural, historic or cultural resources of the development boundary.
- f. No impacts have been found to any of the surrounding community and neighborhood from:
  1. Transportation: a Trip Comparison by Kittleson found no impacts.
  2. Parking and circulation and connectivity should not be impacted.
  3. No changes to public facility infrastructure or demand.
  4. No change to neighborhood livability.
  5. No change that would impact natural, cultural, and historic resources.
- g. Trips should be reduced as indicated in the Trip Comparison Memo by Kittleson.
- h. Transportation Study not recommended by Kittleson.
- i. Transportation Study not recommended by Kittleson.
- j. No changes are proposed that affect the existing development standards.

#### 2. Maps and Diagrams

- a. Site Circulation: See Chapter 4, Master Plan.
- b. Transportation System: See Street Plan Chapter 4, Master Plan.
- c. See Appendix B, Engineering Site Plans.
- d. See Phasing Diagram and Program by Phase in Chapter 1, Executive Summary.
- e. See Open Space Chapter 4, Master Plan.



# Memorandum

## C. Approval Criteria

1. Incorporation of the Silver Oak Building and fence material and height adjustments are consistent with the purpose of the Red Soils Master Plan which allows the County to plan for long term growth management and provide security to the public safety operation functions.
2. The incorporation of the Silver Oak Building will not impact the transportation system.
3. No changes are proposed at the Silver Oak Building that will impact public services or access by police, fire, sanitary waste disposal or storm water disposal.
4. No changes are proposed that impact the natural, cultural, or historic resources or overlay districts.
5. The fence material and height adjustment requested at the Silver Oak Building is mitigated by using painted and slatted chain link fencing.
  - a. The County proposes additional mitigation with landscape screening along the southern property line, adjacent to Hillendale Park and additional plant material along the pedestrian path.
6. The general development plan is consistent with the Oregon City Comprehensive Plan and the incorporation of the Silver Oak Building into the Red Soils Campus is consistent with that plan.

### 17.65.060 Detailed Development Plan (respond to item B for the development proposed)

## B. Approval Criteria. The community development director shall approve an application for detailed development plan approval only upon findings that:

2. All development standards and impact mitigation meet the requirements of the approved general development plan, including conditions of approval:

Parking lot landscaping: not currently compliant, Clackamas County proposes to add landscaping planters in the parking area to mitigate the non-compliance and bring the development into current Oregon City Municipal Standards.

Fencing height and materials: Clackamas County requests a Code Adjustment to allow twelve-foot chain link fence in an area visible from the park, but screened by existing landscaping, as the most efficient and fiducially responsible material given its use at the park, residences and its 'back room' location on campus. A four-foot chain link fence installed in 2004 runs along the pedestrian easement path and the proposed new fence would continue where the path turns to the park and the existing fence ends.

3. Any other applicable zoning regulations that are not addressed in the general development plan are met, unless an adjustment to those regulations has been applied for and is approved. The approval standards applicable to adjustments required as part of a master plan are contained in Section 17.65.070:

1. Clackamas County is not requesting a change in use that is not allowed in an MUE zone.

# Memorandum

2. Clackamas County is requesting a change to a regulation that contains the word 'prohibited', as an exception granted by the Community Development Director. The fence is not on a street and will help to prevent vandalism on County Property and meet accreditation requirements for Evidence Facilities.
  3. As an exception to a threshold review, such as a Type III review process: not applicable in this development proposal.
  4. An exception to allow a use not identified as a permitted or conditional use in the zone: not applicable to this development proposal.
4. The detailed development plan conforms with the standards contained in Chapter 17.62, unless adjusted as provided in Section 17.65.070:

Proposed development conforms to standards in 17.62 and requests a material and height adjustment for fencing.

## 17.65.070 Adjustments to Development Standards

A. Purpose: The County understands and supports the City's master plan process and the request for fence adjustments in material and height will only be used at security installations in 'Back Room' areas. See Chapter 4, Rooms in the 2012 Update.

B. Procedure: Clackamas County is requesting two adjustments in the 2012 Update for fencing:

1. The use of a powder coated (electrostatically painted) twelve-foot high chain link fence with matching colored privacy slats at the Silver Oak Building. The Fence would run along the existing curb 25-feet inside of the property line leaving the utility and pedestrian easement unchanged.
2. The previous use of unpainted chain link fencing with barbed or razor wire at heights of 8-feet, 12-feet and 24-feet at the County Jail. This fencing occurs around the perimeter of the Sallyport and Sallyport entrance/exit, Kitchen delivery and loading area, inmate exiting path, and along the southwest elevation by the walled outdoor exercise area. Where possible and practical given security concerns landscaping and was used to mitigate the visual appearance of the fencing. **Additional locations of non-conforming fences on campus include garbage enclosures, mechanical equipment enclosures and a facility fence around the Shaver building. These fences have been in-place prior to the restrictions on the use of chain link.**

C. Regulations that may not be adjusted:

1. No primary or accessory use that is not allowed is being requested.
2. Items which are prohibited: Chain link fencing is a prohibited use, however, it is not being proposed on a main public thoroughfare or public right of way. It is also proposed to be painted to reduce the visual appearance.
3. Pre-application meetings with City did not indicate a Type III review process for the fencing adjustment request.
4. No exceptions to allow a use not identified as a permitted or conditional use in the underlying zone are being requested.



# Memorandum

D. Approval Criteria: A request for an adjustment to one or more applicable development regulations under this section shall be approved if the review body finds that the applicant has shown the following criteria to be met: (respond to item 17.65.070.D.6 for the development proposed)

1. Equally or better meet the purpose of the regulation to be modified:
  - a. The use of a 12-foot high painted chain link fence at the Silver Oak Building will appear as a practical, fiscally sound improvement for a Back Room application. If the County were to install a wrought iron, or other costly fencing material in this application the public might complain of misuse of taxpayer funds.
  - b. The prior use of chain link at the County Jail is not because it is a low quality fencing material as the heights require an engineered footing and excavation during installation and the gage of wire resists cutting. This type of fencing is used predominantly at jail facilities and is a recognized attribute of a jail that both warns, deters and secures. Low shrubbery at the base allows vulnerability by cutting, and trees placed to close allow for security breaches.
2. The cumulative effect of the adjustments results in a project that is still consistent with the overall purpose of the zone:
  - a. The cumulative fencing at the jail and the proposed fencing at the Silver Oak Building does not affect the overall purpose of the zone. ~~On Page 63 of the 2012 Update a fencing diagram shows that the Full Build-Out in 2030 has various types of fencing that relate to their location on Campus and public view. The County requests the opportunity to retract this diagram and replace it with a diagram reflecting the Non-Conforming Existing Fences, as that is more relevant to the discussion rather than a fences at future buildings that have not been designed yet.~~
3. City-designated Goal 5 resources are protected to the extent otherwise required by Title 17:
  - a. Although there are natural resource overlay districts on the Campus, the proposed and exiting fencing does not affect the quality of the resource.
4. Any impacts resulting from the adjustment are mitigated:
  - a. Proposed fence at the Silver Oak Building is to be painted, landscaping along the property line is existing, mature, healthy and will be maintained by the County.
    - i. ~~The County proposes additional mitigation with landscape screening along the southern property line, adjacent to Hillendale Park and additional plant material along the pedestrian path. See the revised Landscape Plan L1.~~
5. If an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable. (Ord. 03-1014, Att. B3 (part), 2003):
  - a. Although there are natural resource overlay districts on the Campus, the proposed and exiting fencing will not have an impact of the resource.
6. The proposed adjustment is consistent with the Oregon City Comprehensive Plan and ancillary documents:

Clackamas County requests a variance to the Oregon City Comprehensive Plan to allow for approval on a material and height change to fencing on the Red Soils Campus:

# Memorandum

- a. The proposed fence for the Silver Oak Building will allow the Sheriff's fleet vehicles and evidentiary material to be housed safely and securely. A security fence of this height will forego the need for barbed or razor wire at this location (required for fences lower than or at eight-feet) and prevent damage to the vehicles and maintain the Chain of Custody requirements for accreditation of the facility to hold Evidence for the Sheriff's office in a professional manner.
- b. The existing fencing at the County Jail allows the Sheriff and County staff to maintain a secure site for a building that is over 60 years old, has continual maintenance, deliveries and correctional activities on a daily round the clock basis.

End of Municipal Code Responses

Sincerely,



Rebecca Epstein, LEED AP, BD+C  
SERA Architects  
Project Manager

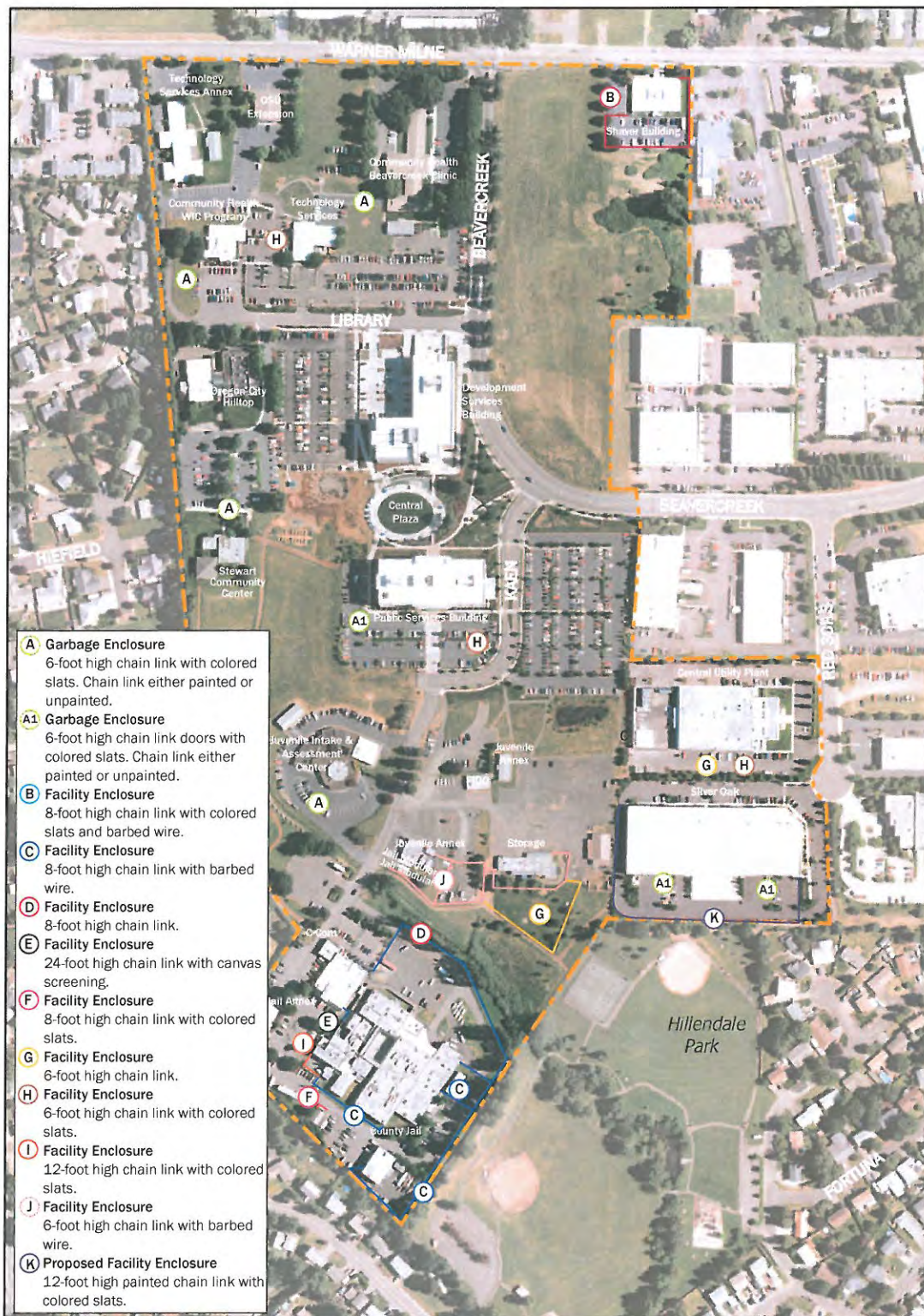
attachments:

- ✓ 12 copies Master Plan Update
- ✓ Signed Land Use Application
- ✓ Trips Comparison Letter-Kittleson
- ✓ Fee of \$5,624 by PO number 833890
  - Master Plan (Concept Plan) Amendment: \$3,233
  - Detailed Development Plan (minor): \$776
  - Transportation Study: \$1,600 (half of base fee)
  - Mailing Labels: \$15
- Letter to neighborhood association and neighbors within 300-feet of property (postage invoice, letter, and email correspondence with neighborhood chairs)
- Trio (sent independently by Lane Miller to Laura Terway)
- **Appendix G: Landscape Plan L1, color and black/white PDF**
- Bicycle Parking indicated on Landscape Plan L1
- Revised Program by Phase, page 12 from Red Soils Update for FAR information
- Revised Appendix F, page 82 from Red Soils Update for Proposed On-Site Parking current and 2030 Full Build-Out
- **Appendix C: Pictures of Non-Conforming Existing Fences**
- **Appendix H: Contextual Pictures**
- **Rooms Concept, page 40 from Master Plan (for use at Hearing on Jan 28, no revisions)**

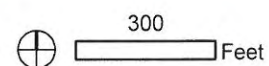
cc: Marc Gonzales, Lane Miller, Jeff Jorgensen, Don Eggleston, file

5/29/2012  
Revised 9/07/2012  
Revised 12/01/2013





## Non-Conforming Existing Fences







The following landscape scores refer to those indicated in Oregon City Municipal Code Chapter 17.52 Off-Street Parking and Loading

- Zone B: Picking Low/Binding Duffer**
1. Minimum 8' wide landing area before. Existing condition remains.
  2. Minimum 8' wide landing area after. 35' Thru to be added as shown.
  3. Thru spaced at a maximum coverage of 150%. Ground cover to be added as shown.
  4. Permanent permanent equipment: everyone being 42" high or shorter 8' on center. Gaps to be filled with additional shrubs as shown.

## Indicate Zone Boundaries (See plan)

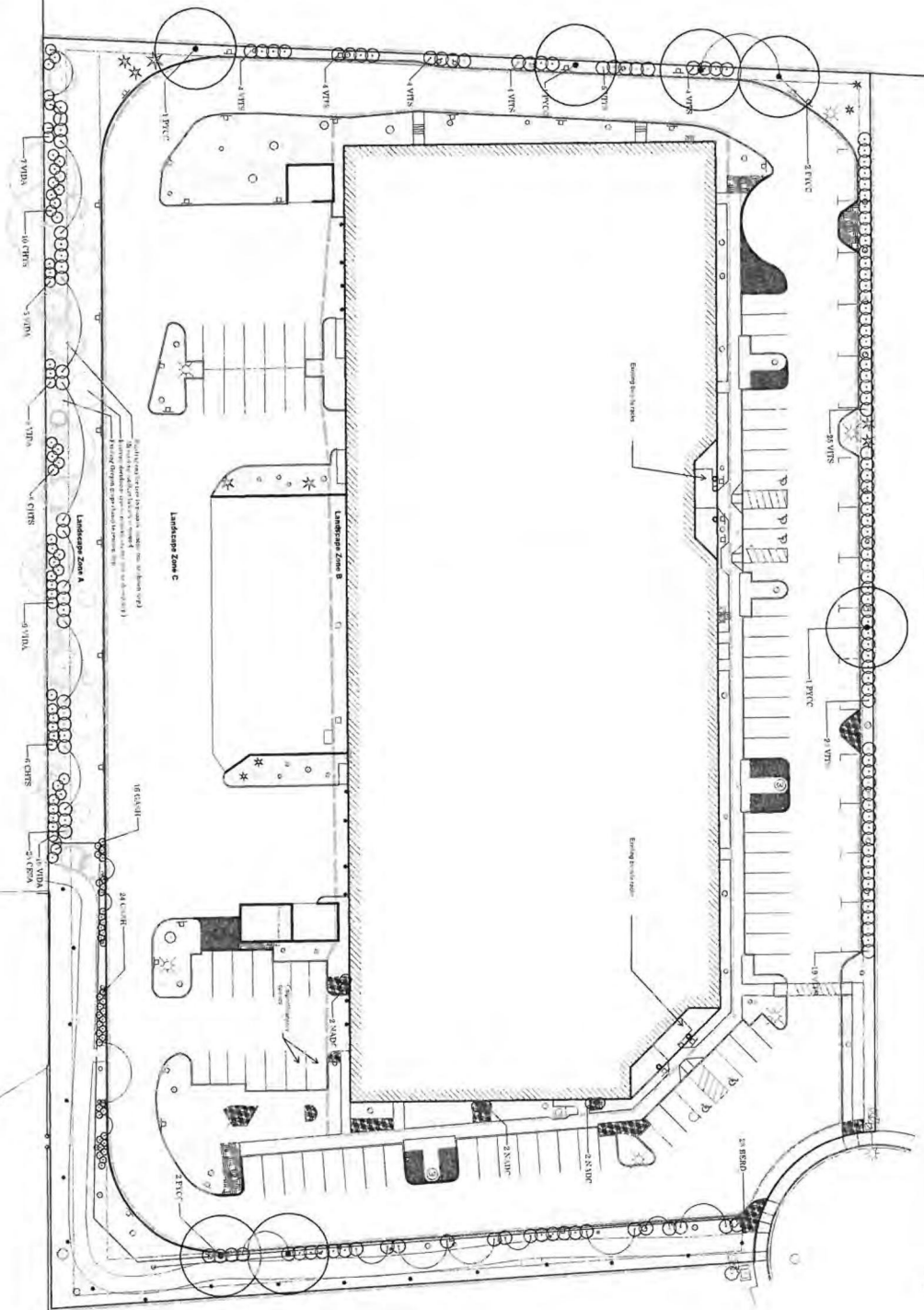
- Zone C: Intensive Parking Lot Landscaping**
1. Parking spots shall have an minimum 10% of the zone area devoted to landscaping. The zone area shall be 100 parking spaces.
  2. Minimum of 100 trees per 100 parking spaces. There are 100 parking spaces. 10 trees are required. There are 25 trees existing.
  3. Plant material ground cover requirement: 100%. Ground cover to be added as shown.
  4. Plant material shall be selected to provide shade and reduce heat island effect. Plant material type shall be selected to provide shade and reduce heat island effect. Plant material type shall be selected to provide shade and reduce heat island effect.
  5. Plant material shall be selected to provide shade and reduce heat island effect. Plant material type shall be selected to provide shade and reduce heat island effect.

1

- [illegible]

The original landscape plan prepared by

- For new planters, remove existing curbs and asphalt. Install new curbs where indicated, place 2" of gravel, compact existing gravel to cover new areas and place 2" bulk mulch in only under canopy of new shrubs and within 2' of new trees.
- Contract new planter.
- Remove one existing parking space and expand existing planter as above.
- Remove two existing parking spaces and expand existing planter as above.



### Landscape Zones

The following addresses are in the region in those indicated in Certain City Municipal Code Chapter 17.0: Old Street, Village and Landings.

#### Zone A - Perimeter Landscaping

- [illegible]

## Zone C - Interior Parking Lot Landscaping

- [illegible]

## PLANT LIST

[illegible]

**NOTES:**

- ① *f* : distance from object to lens
- ② *v* : distance from image to lens
- ③ *u* : distance from object to image





Pedestrian Path looking west at existing and proposed fence intersection



Pedestrian Path looking west prior to park entrance

Proposed Fence at Silver Oak Renderings



Pedestrian Path looking north at Silver Oak Building



View from Hillendale Park looking north at Silver Oak Building



View from baseball diamond looking north at Silver Oak Building





Type A Fence, Juvenile Department



Type H Fence, Public Services Building



Type G Fence foreground, Storage Building  
Type D Fence background, Adult Detention Facility



Type A Fence, Community Health



Type C Fence, Adult Detention Facility



Type D Fence, Adult Detention Facility



Type H Fence, Technology Services



Type B Fence, Shaver Building



Type E Fence right, Adult Detention Facility  
Type C Fence left, Adult Detention Facility



Type D Fence, Adult Detention Facility



Type A1 Fence,  
Silver Oak



Type F Fence, Adult  
Detention Facility

Fence Type designations on Non-Conforming Existing Fences diagram





Facility Enclosure at PGE on Warner Milne Road



Facility Enclosure at PGE on Warner Milne Road



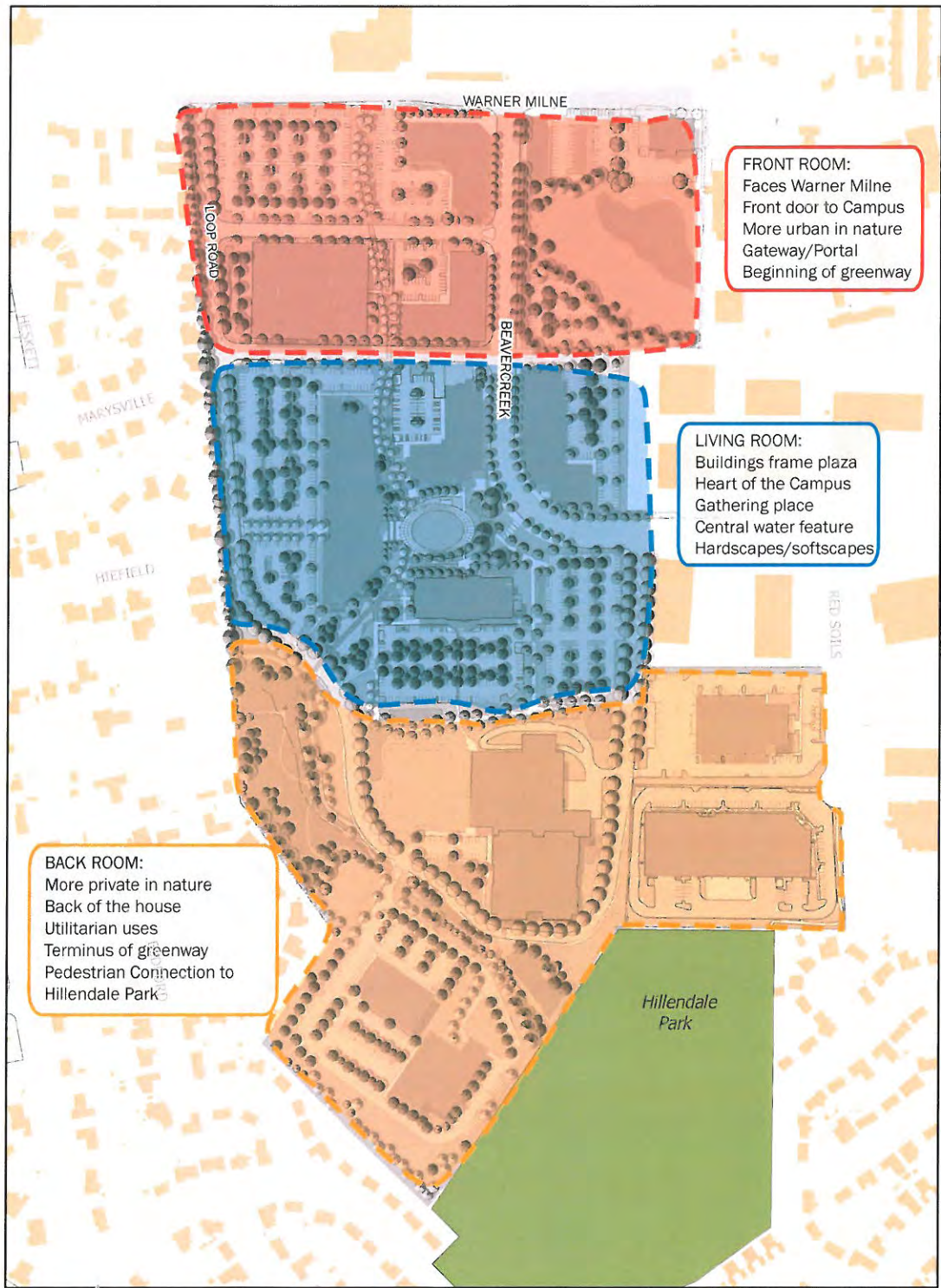
Property Fences bordering Hillendale Park, east side



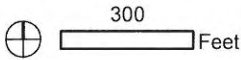
Hillendale Park baseball diamond, Silver Oak Building background



Hillendale Park basketball court, Type G fence at storage building background



Rooms Concept







## Non-Conforming Existing Fences

