

PLANNING COMMISSION AGENDA
City Commission Chambers - City Hall
625 Center Street, Oregon City, Oregon 97045
March 14, 2011 at 7:00 p.m.

The Planning Commission agendas, including staff reports, memorandums, and minutes are available from the Oregon City Web site home page under meetings. (www.orcity.org)

1. CALL TO ORDER

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

3. PLANNING COMMISSION HEARING

- a. LE 10-02 (Request for Continuance): Update of the Oregon City Water Master Plan, an Ancillary Plan to the Oregon City Comprehensive Plan.
- b. CU 10-03 and CP 10-03 Conditional Use and Concept (General) Plan: South Fork Water Board submitted a Conditional Use Permit (Planning File CU 10-03) and General Development Plan (Planning File CP 10-03) to upgrade the water treatment facility on Hunter Avenue.

4. ADJOURN

Video Streaming & Broadcasts: The meeting is streamed live on Internet on the Oregon City's Web site at www.orcity.org and available on demand following the meeting. The meeting can be viewed live on Willamette Falls Television on Channels 23 and 28 for Oregon City and Gladstone residents; Channel 18 for Redland residents; and Channel 30 for West Linn residents. The meetings are also rebroadcast on WFTV. Please contact WFTV at 503-650-0275 for a programming schedule.

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Agenda Item No. 3a
Meeting Date: 14 Mar 2011

COMMISSION REPORT: CITY OF OREGON CITY

| | |
|--|---|
| TO: | Planning Commission |
| FROM: | Pete Walter, Planner |
| PRESENTER: | Pete Walter, Planner |
| SUBJECT: | LE 10-02 (Request for Continuance): Update of the Oregon City Water Master Plan, an Ancillary Plan to the Oregon City Comprehensive Plan. |
| Agenda Heading: Public Hearing | |
| Approved by: Tony Konkol, Community Development Director | |

RECOMMENDED ACTION (Motion):

Staff recommends that the Planning Commission open the public hearing for file LE-10-02, take testimony from any member of the public who wishes to speak on this item, and continue the public hearing for file LE-10-02 to the date certain of May 23, 2011.

BACKGROUND:

The applicant, Oregon City Public Works Department, requests that the hearing for this item be continued. On March 14, Planning Division staff will briefly introduce the file, explain the approval criteria, and the applicant will present a brief overview of the plan update. Questions are welcome, however, staff will not be presenting a formal staff report and findings on March 14, 2011.

BUDGET IMPACT:

FY(s):
Funding Source:

ATTACHMENTS:

EXECUTIVE SUMMARY

INTRODUCTION

This Water Distribution System Master Plan (WMP) is for the City of Oregon City's (City) distribution facilities and existing and projected future water demands. In order to evaluate the Oregon City water system, West Yost Associates (West Yost) updated a hydraulic model of the water system that was originally created for the 2004 WMP.

The following are the three major work products that resulted from this master planning effort:

- A Diurnal Curve Development Technical Memorandum,
- A recommended Capital Improvement Program (CIP) for the City's existing and future water system including renewal and replacement pipeline projects; and
- A financing plan that addresses implementation of the recommended CIP. The 1996 City Charter requires rates to be rolled back to pro-bond levels once the bonds are paid which will occur in Fiscal Year 2014-15. The City must address this requirement before any long term water fund planning can realistically be established.

The associated analyses and assessments related to these work products are briefly summarized below. Complete descriptions of the analyses and assessments are provided in the chapters and appendices of this Water Master Plan.

OVERVIEW OF THE OREGON CITY SERVICE AREA AND SOURCE

A detailed description of the City's existing service area and water distribution system is provided in Chapter 2. The following subsections present a brief overview of the service area.

Service Area

The City of Oregon City currently provides potable water service to most of the City's residents. The City is located in the Portland Metropolitan Area east of Interstate 205, southeast of the Willamette River. As shown on Figure ES-1, the City's service area is approximately 4,134 acres. Areas within the City limits not served by City are served by the Clackamas River Water District (CRW). There are also portions of the City that are adjacent to undeveloped, unincorporated county land that has the potential for development and annexation into the City's service area.

Source of Supply

The source of supply for the City is surface water from the lower Clackamas River which is supplied by the South Fork Water Board (SFWB). The SFWB is a wholesale water supplier that is equally owned by the Cities of Oregon City and West Linn. The SFWB operates an intake and pumping station just to the north of the Oregon City city limits which delivers raw water to the SFWB water treatment plant located in the City's Park Place area. The Oregon City water distribution system is supplied by the SFWB at five different locations.



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ES-1

City of Oregon City
Water Distribution System Master Plan



EXISTING AND FUTURE WATER DEMANDS

A detailed description of the City's existing and projected future water demands is provided in Chapter 3. The following subsections present a brief overview of existing and future water demands.

Existing Water Demands

Existing water demands for the City were determined based on historical water production at the SFWB, historical Master Meter Data for the Cities of West Linn and Oregon City, and historical consumption data for the City of Oregon City. Water use by customer class is shown in Table ES-1. Peaking factors for maximum day and peak hour demand were developed based on historical production records.

Table ES-1. Water Use by Customer Class, 2002-2008^(a)

| Year | Demand, mgd ^(b) | | | | |
|--|----------------------------|---------------|--------------|-----------------------|-------|
| | Single Family | Institutional | Multi-Family | Industrial/Commercial | Total |
| 2002 | 2.16 | 0.33 | 0.63 | 0.65 | 3.78 |
| 2003 | 2.42 | 0.29 | 0.65 | 0.68 | 4.04 |
| 2004 | 2.36 | 0.34 | 0.63 | 0.70 | 4.04 |
| 2005 ^(c) | 2.22 | 0.32 | 0.64 | 0.77 | 3.95 |
| 2006 | 2.42 | 0.42 | 0.62 | 0.72 | 4.17 |
| 2007 | 2.32 | 0.28 | 0.58 | 0.71 | 3.89 |
| 2008 | 2.22 | 0.30 | 0.55 | 0.66 | 3.74 |
| Historical annual average demand | 2.32 | 0.33 | 0.61 | 0.69 | 3.94 |
| Percent of total annual average demand | 59% | 8% | 16% | 17% | 100% |

^(a) Water use includes unaccounted for water

^(b) Data provided by Utility Billing (Oregon City Water Consumption 2002-2009 (Account Type).xls)

^(c) Utility Billing software upgraded data is not complete and is not used for determining Historical Annual Average Demand

Future Water Demands

Water demands were projected through buildout of the City's Urban Growth Boundary (UGB) using a unit demand methodology based on land uses in the City's Comprehensive Plan. Individual water use (by meter) was linked to individual parcels using addresses. The unit demand factor for each land use designation was then calculated by dividing the total water use by the total parcel area for which it was linked. The same peaking factors used for existing water demands were used for future projections. Buildout water demand projections are shown by customer class in Table ES-2.

Table ES-2. Summary of Buildout Water Demand Projections^(a)

| Customer Use Category | Average Day Demand, mgd | Maximum Day Demand ^(b) , mgd | Peak Hour Demand ^(c) , mgd |
|---------------------------|-------------------------|---|---------------------------------------|
| Single Family Residential | 3.94 | 9.07 | 17.75 |
| Institutional | 0.37 | 0.85 | 1.66 |
| Multi-Family Residential | 0.80 | 1.85 | 3.62 |
| Commercial/Industrial | 1.90 | 4.38 | 8.57 |
| Total | 7.01 | 16.15 | 31.60 |

^(a) Includes unaccounted for water.

^(b) The City's maximum day demand is 2.3 times the average day demand.

^(c) The City's peak hour demand is 4.5 times the average day demand.

WATER DISTRIBUTION SYSTEM SERVICE STANDARDS

The City of Oregon City maintains benchmarks for service quality that are used to measure performance of the water utility. These benchmarks include service standards for water quality, quantity, and pressure, as well as the minimum supply levels for fire protection. For example, the Oregon City water distribution system was analyzed to ensure that service pressures are maintained above 40 psi during normal demand scenarios and fire flows are available without dropping system pressures below 20 psi. The service standards set forth in this master plan are derived from regulations, rules, and recommendations established by a variety of sources including the Oregon State Department of Human Services (DHS), the Environmental Protection Agency (EPA), the American Water Works Association (AWWA), the Insurance Services Office (ISO), and the Uniform Fire Code (UFC). A summary of these standards is presented in Table ES-3. A detailed description of the City's service standards is provided in Chapter 4.

HYDRAULIC MODEL

A hydraulic model of the City's water system was developed for the 2004 WMP and was updated for this WMP using a series of steps that included the following:

- Model Update
- Roughness Factors Assigned for New Areas in InfoWater
- Water Demands Allocated in H₂OMAP.
- Elevations Allocated for New Areas in H₂OMAP.
- Naming Scheme Applied in InfoWater.

A detailed description of the City's hydraulic model update is provided in Chapter 5.

Table ES-3. City of Oregon City Planning and Design Criteria

| Component | Criteria | Remarks / Issues |
|--|--|---|
| PERFORMANCE CRITERIA FOR PLANNING & DESIGN | | |
| Fire Flow Requirements (flow [gpm] @ duration [hours]) | | |
| Single-Family Residential | 1,500 gpm @ 2 hrs | Fire flows based on new development requirements. Existing development will be evaluated on a case by case basis, because of the historical varying standard. |
| Multi-Family Residential | 1,500 gpm @ 3 hrs | |
| Institutional (schools, hospitals, etc.) | 2,000 gpm @ 4 hrs (with approved automatic sprinkler system) | |
| Commercial/Industrial | 3,000 gpm @ 4 hrs (with approved automatic sprinkler system) | |
| Water Supply Capacity | | |
| Maximum Day Demand Plus Fire Flow | Provide capacity equal to maximum day demand plus fire flow | |
| Peak Hour Demand | Provide capacity equal to peak hour demand | |
| Pumping Facility Capacity | | |
| Booster Pump Capacity | Equal to the maximum day demand for the pressure zone. | Design for maximum day plus fire flow or peak hour (whichever is larger), only if no gravity storage is available within the pressure zone and/or service area. |
| Backup Power | Equal to the firm capacity of the pumping facility. | On-site generator for critical stations. ^(a) Plug in portable generator for less critical stations. |
| Water Storage and System Peaking Capacity | | |
| Equalization | 25 percent of maximum day demand | |
| Fire | Varies (see requirements listed in remarks column) | Varies depending on required fire flow duration. Highest fire flow demand in any particular area controls size of required storage. See Table 4-2. 1,500 gpm @ 2 hrs = 0.18 MG 1,500 gpm @ 3 hrs = 0.27 MG 2,500 gpm @ 4 hrs = 0.60 MG |
| Emergency | Maximum day demand | Based on DHS recommendations. |
| Total Water Storage Capacity | Equalization + Fire + Emergency | |
| Water Transmission Line Sizing | | |
| Diameter | 18-inches in diameter or larger | Criteria based on requirements for new development, existing transmission mains will be evaluated on case-by-case basis. Evaluation will include age, material type, velocity, head loss, and pressure. |
| Average Day Demand Condition | | |
| Minimum Pressure [psi] | 40 psi | |
| Maximum Pressure [psi] | 100 psi | |
| Maximum Velocity [ft/sec] | 3 fps | |
| Maximum Day Demand Condition | | |
| Minimum Pressure [psi] | 40 psi | |
| Maximum Head loss [ft/1000 ft] | 3 ft/kft | |
| Maximum Velocity [ft/sec] | 5 fps | |
| Peak Hour Demand Condition | | |
| Minimum Pressure [psi] | 40 psi | |
| Maximum Head loss [ft/1000 ft] | 3 ft/kft | |
| Maximum Velocity [ft/sec] | 5 fps | |
| Hazen Williams "C" Factor | 140 | For consistency in hydraulic modeling. |
| Pipeline Material | Ductile Iron | |
| Water Distribution Line Sizing | | |
| Diameter | Less than 18-inches in diameter | Must verify pipeline size with max day and fire flow analysis. |
| Average Day Demand Condition | | Criteria based on requirements for new development, existing distribution mains will be evaluated on case-by-case basis. Evaluation will include age, material type, velocity, head loss, and pressure. |
| Minimum Pressure [psi] | 40 psi | |
| Maximum Pressure [psi] | 100 psi | |
| Maximum Velocity [ft/sec] | 3 - 5 fps | |
| Maximum Day w/ Fire Flow Demand Condition | | |
| Minimum Pressure [psi] (at fire node) | 20 psi | |
| Maximum Head loss [ft/1000 ft] | 10 ft/kft | |
| Maximum Velocity [ft/sec] | 10 fps | |
| Peak Hour Demand Condition | | |
| Minimum Pressure [psi] | 40 psi | |
| Maximum Head loss [ft/1000 ft] | 10 ft/kft | |
| Maximum Velocity [ft/sec] | 7 fps | |
| Hazen Williams "C" Factor | 140 | For consistency in hydraulic modeling. |
| Pipeline Material | Ductile Iron | |
| Maximum Valve Spacing | | |
| Supply Pipeline | 1 mile | |
| Transmission Pipeline | 2,000 feet (minimum) | 1,300 feet (preferred) |
| Residential Distribution Pipeline | 800 feet | |
| Commercial Distribution Pipeline | 500 feet | |
| Uniform Fire Code Hydrant Distribution Requirements | | |
| Residential | 500 | |
| Commercial, Industrial, and Other High Value District | 200-500 | |
| OTHER CRITERIA | | |
| Maximum Number of residential lots that can be served by a non-looped water pipeline | 25 lots | If a non-looped water line goes out-of-service, all associated residences lose water service. |

^(a) A pumping facility is defined as critical if it provides service to pressure zones and/or service areas without sufficient emergency storage and that meet the following criterion:

- The largest facility that provides water to a particular pressure zone and/or service area;
- A facility that provides the sole source of water to single or multiple pressure zones and/or service areas; and
- A facility that provides water from a supply turnout into pressure zones and/or service areas.

EXISTING WATER SYSTEM

The existing water system is expected to deliver peak hour flows and maximum day demand plus fire flow within the acceptable pressure, velocity and head loss ranges as identified in the performance criteria presented in Chapter 4. However, the system was evaluated using pressure as the primary criterion. Recommended improvements needed to comply with the performance criteria will be added to the existing water system to fix any deficiencies found.

Overall the City of Oregon City has a storage surplus of 4.99 million gallons (MG) in the existing water system.

Mountainview and Hunter Avenue pump stations both have surplus pumping capacities for meeting existing flow requirements. Livesay Road and Fairway Downs Pump Stations both have significant deficits.

A detailed description of the evaluation of the existing water system is provided in Chapter 6 and the existing water system is shown here in Figure ES-1.

Several pipeline improvements are identified in Chapter 6 that address fire flow deficiencies in the pipeline network. These improvements are included in the CIP.

FUTURE WATER SYSTEM EVALUATION

The City of Oregon City has a projected water storage capacity deficit of 4.84 MG in the future water system. A new ground level storage reservoir is planned to be constructed just beyond the Henrici Reservoir at the 620 elevation contour. This tank will serve a new pressure zone created to encompass the Fairway Downs pressure zone. Another new tank is proposed to make up the remaining storage deficit near Holly Lane. These new storage reservoirs will alleviate the water storage capacity deficit in the future water system.

The City of Oregon City has a projected pumping deficit at the Fairway Downs Pump Station of 711 gpm and the Barlow Crest Pump Station of 874 gpm. With the new 620 elevation storage reservoir, however, the Fairway Downs area will be gravity fed and its pumping deficit becomes obsolete. The Barlow Crest Pump Station is only a concern when the City assumes responsibility for those customers from Clackamas River Water (CRW).

Maximum day demand plus fire flow simulation results indicate that there are numerous areas where the available fire flow, evaluated using the maximum day demand plus fire flow performance criteria, was less than the minimum required fire flow for the area. At most of these locations, the existing pipelines are undersized and would need to be replaced by larger diameter pipelines to supply a minimum fire flow required while meeting the maximum day demand plus fire flow performance criteria.

A detailed description of the evaluation of the future water system is provided in Chapter 7. Figure ES-2 shows the recommended future water system improvements.

RECOMMENDED CAPITAL IMPROVEMENT PROGRAM

A detailed description of the City's CIP is provided in Chapter 8.

Recommended Capital Improvements

Recommended capital improvements are organized into three CIP tables: Existing Improvements, Future Improvements, and Renewal and Replacement Improvements. Recommendations for improvements to the existing water system are described in Chapter 6 and are generally recommended to improve fire flows for existing customers. Chapter 7 describes the recommendations for improvements to the future water system which are for improvements related to growth of the system. Renewal and replacement improvements are recommended for areas where pipes are old, leaking or have significant maintenance needs. A summary of the recommended capital improvements is listed below.

Existing System Improvements

- PRV Stations
 - Construct a 6-inch PRV station from Upper Pressure Zone at Telford Road to address fire flow deficiencies at Center Street and Sunset Street in the Intermediate Pressure Zone.
- Pipeline Improvements
 - Install approximately 8,900 linear feet of pipelines ranging from 6 inches to 16 inches in diameter.

The locations of the recommended existing system CIP projects are shown on Figure ES-2.

Future System Improvements

- Storage Facility¹
 - Construct a 2 MG storage reservoir at the 620 foot elevation contour to serve the Fairway Downs pressure zone and the Upper pressure zone.
 - Construct a 3 MG storage reservoir along Holly Lane to serve the Lower Park Place Pressure Zone.
 - 1 MG storage reservoir at the existing Barlow Crest storage reservoir site (the remainder of the buildout emergency storage requirement will be met from Mountainview Reservoir No. 2). This reservoir is shown on Figure ES-2, but not currently included in the CIP. This additional storage will only be required when CRW facilities are incorporated into the City.

¹ Projects that include the integration of CRW facilities into the Oregon City water system are not included in the CIP.

- PRV Stations
 - Construct two 6-inch PRV stations near Livesay Road pump station to increase fire flow supply availability in the Livesay Road pressure zone (one PRV will supply flow from Intermediate Park Place pressure zone and the other PRV can supply flow into the Lower Park Place pressure zone if needed).
- Pump Station^{2,3}
 - Increase the firm pumping capacity at the Barlow Crest Pump Station by adding two additional 500 gpm booster pumps (in the event that the current Barlow Crest customers come to be served by Oregon City).
- Pipelines
 - Install approximately 78,000 linear feet of proposed pipelines ranging from 6 inches to 16 inches in diameter.

The locations of the recommended future system CIP projects are shown on Figure ES-2.

Renewal and Replacement Improvements

- PRV Stations
 - Station #2 Replacement
 - Station # 15 Replacement
- Pipelines
 - Install approximately 40,000 linear feet of proposed pipelines ranging from 4 inches to 10 inches in diameter.

The locations of the recommended future system CIP projects are shown on Figure ES-2.

Recommended Cost and Timing of Capital Improvements

Costs are presented in October 2009 dollars based on an Engineering News Record Construction Cost Index (ENR CCI) of 8596 (20 Cities Average). Total CIP costs include the following construction contingency and project cost allowances:

- Construction Contingency: 20 percent
- Project Cost Allowances:
 - Design: 10 percent
 - Construction Management: 10 percent
 - Administration: 8 percent

² Projects that include the integration of CRW facilities into the Oregon City water system were not included in the CIP.

³ Cost estimate was based on the additional firm capacity required.

A summary of the costs for the recommended CIP by project type is provided in Table ES-4. As shown in Table ES-4, the total estimated recommended CIP cost for the City of Oregon City water system is estimated to be \$53 million. Additional details of the probable construction costs of each individual project are provided in Chapter 8.

The construction of the improvements for the future system should be coordinated with the proposed schedules of future development to ensure that the required infrastructure will be in place to serve future customers. However, if the future system improvements are based on addressing deficiency in fire flow pumping or storage, emergency storage, or reliability issues, they should be a higher priority.

Table ES-4. Estimated Cost of Recommended CIP by Project Type

| CIP Project Type | Existing System CIP, million dollars | Future System CIP ^(a,b,c) , million dollars | Renewal and Replacement CIP, million dollars | Total CIP Cost ^(a) , million dollars |
|----------------------|--------------------------------------|--|--|---|
| Storage Facility | - | 14.46 | 0.56 | 15.02 |
| Pump Station | - | - | - | - |
| Pipeline Improvement | 1.50 | 20.42 | 8.96 | 30.88 |
| PRV Station | 0.33 | 0.58 | - | 0.91 |
| Operations Facility | 6.05 | - | - | 6.05 |
| Total ^(d) | 7.88 | 35.46 | 9.52 | \$52.86 |

- (a) Timing of future system improvements will be triggered by specific developments and increase in system demands.
 (b) Future system CIP costs are in current dollars and have not been escalated by the CPI.
 (c) Cost based on a ground level, pre-stressed concrete storage tank.
 (d) Total cost based on the October 2009 ENR index of 8596 and includes construction contingency and project cost allowances.



Agenda Item No. 4b
Meeting Date: 14 Mar 2011

COMMISSION REPORT: CITY OF OREGON CITY

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|--|---|
| TO: | Planning Commission |
| FROM: | Laura Terway, Planner |
| PRESENTER: | Laura Terway, Planner |
| SUBJECT: | CU 10-03 and CP 10-03 Conditional Use and Concept (General) Plan: South Fork Water Board submitted a Conditional Use Permit (Planning File CU 10-03) and General Development Plan (Planning File CP 10-03) to upgrade the water treatment facility on Hunter Avenue. |
| Agenda Heading: Public Hearing | |
| Approved by: Tony Konkol, Community Development Director | |

RECOMMENDED ACTION (Motion):

Staff recommends the Planning Commission approve Concept (General) Plan CP 10-03 and Conditional Use CU 10-03 with the recommended conditions of approval.

BACKGROUND:

The applicant proposed a Conditional Use and Concept (General/Master) Plan application identifying the layout, maximum intensity, phasing and public improvements associated with a site over a 20 year period. Approval of the General (Concept) Plan is followed by a series of Detailed Development Plan applications with specific building details including the orientation and design of structures, landscaping, etc. which comply with the Oregon City Municipal Code and the approved Concept (General) Plan.

BUDGET IMPACT:

FY(s):
Funding Source:

ATTACHMENTS:



NOTICE OF TYPE III LAND USE RECOMMENDATION

Staff Report and Decision

March 7, 2011

FILE NO.: CP 10-03 Concept (General) Development Plan
CU 10-03 Conditional Use

APPLICATION TYPE: Type III

**APPLICANT/
OWNER:** South Fork Water Board
Attn: John Collins
15962 S. Hunter Ave
Oregon City, OR 97045

REPRESENTATIVE: Ben Schonberger
Winterbrook Planning
310 SW 4th Ave #1100
Portland, OR 97204

REQUEST: South Fork Water Board requested approval of a Conditional Use and Concept (General) Development Plan to upgrade the water treatment facility on Hunter Avenue.

LOCATION: 15962 Hunter Avenue, Oregon City, OR 97045
Clackamas County Map 2-2E-21CD-02500

No Address, Oregon City, OR 97045
Clackamas County Map 2-2E-28BB-00100

REVIEWERS: Laura Terway, AICP, Planner
Bob Cullison, EIT, Development Services Manager

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,
“R-10” Single-Family Dwelling District in Chapter 17.08,
Tree Protection Standards in Chapter 17.41,
Geologic Hazards in Chapter 17.44,
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,
Site Plan and Design Review in Chapter 17.62 and
Master Plans in Chapter 17.65,

CONCEPT (GENERAL) DEVELOPMENT PLAN:

A Concept (General/Master) Development Plan identifies the layout, maximum intensity, phasing and public improvements associated with a site over a 20 year period. Approval of the General (Concept) Plan is followed by a series of Detailed Development Plan applications with more specific building details including the orientation and design of structures, landscaping, etc. which comply with the Oregon City Municipal Code and the approved Concept (General) Plan.

EXISTING USE:

South Fork Water Board is located at 15962 Hunter Avenue and uses the site to provide potable water to approximately 63,000 people in the surrounding area (Exhibits 1 and 2). The treatment plant purifies water from the nearby Clackamas River and removes harmful particles and bacteria through the following process:

- The coagulation process disperses aluminum into the water quickly to allow particles to stick to each other as “floc”.
- The flocculation process slow-mixes the floc particles in the water to form larger particles which will settle.
- Sedimentation is a gravity-driven process that removes the flocculated particles from the water.

- Filtration removes remaining particles such as silt, natural organic matter and microorganisms from the water, which acts as a final polishing step, and improves the effectiveness of disinfection.
- Chlorine then disinfects the water and provides residual protection against biological contamination in the water distribution system.

Approximately 26 percent (112,760 square feet) of the site is developed with structures, tanks and pavement while the remainder of the site is covered with grass and trees. A majority of the development is located on the northern and western portions of the site while the southeastern corner is contains a densely packed grove of trees. The site is currently developed with the following structures:

Table 1: Inventory of Existing Above-ground Structures

| Structure | Dimensions (ft.) | Area (sq. ft.) | Height above grade (ft) |
|--|----------------------|-------------------|--|
| Headhouse (Operations Building) | 80 x 50 | 4,000 | 24 (to eaves) |
| Filters (4) | (total) 75 x 75 | (total) 5,625 | 12 (to top of wall of exterior filter boxes) |
| Flocculation/ Sedimentation Basins (2) | (total) 165 x 133 | (total) 21,945 | 4-8 (varies) |
| Clearwell #2 | 95 (dia) | 7,100 | 2 |
| Clearwell #3 | 125 x 260 | 32,500 | 3 |
| Pipeline B Pump Station | 15 x 25 | 375 | 3 |
| Storage Shed | 20 x 40 | 800 | 12 (to eave) |
| Backwash Ponds (2) | (total) 230 x 175 | (total) 40,250 | 0 |
| Backwash/Decant Pump Station | 20 x 27 | 540 | 12 (to eaves) |
| Total | | 113,135 | |

The site also contains the following water treatment infrastructure and associated piping:

- 27-inch diameter raw water pipeline from the intake,
- 30-inch diameter finished water transmission pipeline to Division Street pump station,
- 24-inch diameter "Pipeline B"
- 42-inch diameter finished water transmission pipeline
- Raw water magnetic flow-meter,
- Finished water magnetic flowmeter,
- One pumped diffusion rapid mixer,
- 42-inch settled water pipeline,
- Four dual-cell, gravity, constant-rate filters,
- 0.2 million gallon (MG) "under-filter" clearwell,
- Chemical storage and feed systems,
- 8-inch recycled water pipeline from the Backwash Ponds, and
- 8-inch sludge pipeline from sedimentation basins to the Backwash Ponds.

PROPOSED DEVELOPMENT:

The approximately 10 acre site is comprised of two tax lots bounded by Hunter Street to the west, Thurman Street to the north and Swan Avenue to the east. The proposed Master Plan includes upgrades to the site including increasing the treatment capacity from 22 million gallons per day (mgd) to 40 mgd and replacement of outdated infrastructure. The development would be phased over the next 20 years, as follows:

- Phase 1 - 2015: New flocculation/sedimentation basin, a new building for storing water treatment materials and chemicals, two new filters, a flowmeter/rapid mix vault and a remodel of the operations building (headhouse).
- Phase 2 - 2020: New building with mechanical systems (centrifuges) for processing the sediment that results from the treatment process, new pump station and new gravity sludge thickeners and sludge holding tanks.
- Phase 3 - 2025: Replace the two existing flocculation/sedimentation basins with two new basins, construct ozone contact basins, and build an ozone generator and a standby, power generator addition to the chemical storage building. Each of the three phases listed above will be subject to a detailed development plan review by Oregon City.

The site is currently nonconforming as it does not comply with the current standards for parking lot landscaping, pedestrian accessway standards, etc. OCMC Chapter 17.58.040.C.2.a requires upgrades to nonconforming portions of the site for additions and exterior alterations more than \$75,000. Per OCMC 17.58, ten percent of the \$40 million project cost shall be allocated to assuring compliance with pedestrian circulation systems, minimum perimeter parking lot landscaping, minimum interior parking lot landscaping, minimum site landscaping requirements, bicycle parking by upgrading existing racks and providing additional spaces, screening, and paving of surface parking and exterior storage and display areas. Proportional upgrades to the site are required per OCMC Chapter 17.58 and full compliance is expected within the 20 year Master Plan process.

The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. **The applicant can satisfy this standard by complying with Condition of Approval 1.**

OREGON CITY MUNICIPAL CODE CRITERIA:

CHAPTER 17.50 – ADMINISTRATION AND PROCEDURES

Finding: Complies. The Concept (General) Development Plan and Conditional Use applications were processed as Type III applications. A Neighborhood Association meeting on May 6th, 2010 and a pre-application conference was held on March 30th, 2010 with Oregon City staff. Notice of the development was mailed to property owners within 300 feet of the site, the Park Place Neighborhood Association, Citizen Involvement Commission and affected agencies on October 22nd, 2010. The property was posted with a Land Use Action sign providing details and requesting comments about the development from October 29th, 2010 to after the Planning Commission hearing(s). The following public comments were received:

Stephen VanHaverbeke of the Park place Neighborhood Association submitted comments indicating the proposal does not conflict with neighborhood interests (Exhibit 5).

John Lewis, Public Works Operations Manager, submitted comments addressed within this report (Exhibit 6).

Comments received after February 25th, 2011 will be forwarded to the Planning Commission at the March 14th, 2011 public hearing. The public record will remain open until the Planning Commission closes the public hearing.

CHAPTER 17.08 R-10 SINGLE-FAMILY DWELLING DISTRICT

17.08.020 Permitted Uses.

Findings: Not Applicable. The subject site is currently utilized by the South Fork Water Board to process water for the public. OCMC Chapter 17.10.030.H identifies public utilities, including sub-

stations (such as buildings, plants and other structures) as a Conditional Use. The applicant submitted a Conditional Use application with this development.

17.08.030 Conditional Uses

Findings: Application Submitted. The subject site is currently utilized by the South Fork Water Board to process water to provide to the public. OCMC Chapter 17.10.030.H identifies public utilities, including sub-stations (such as buildings, plants and other structures) as a Conditional Use. The applicant submitted a Conditional Use application to update the existing Conditional Use approved for the site. The Conditional Use application is analyzed within this report.

17.08.040.A. Minimum Lot Area of 10,000 Square Feet

Findings: Not Applicable. The Concept (General) Development Plan does not include a land division or a lot line adjustment. The applicant has not proposed to alter the size of the building lot with this development.

17.08.040.B. Maximum Lot Width – Sixty-Five Feet

Findings: Not Applicable. The Concept (General) Development Plan does not include a land division or a lot line adjustment. The applicant has not proposed to alter the size of the building lot with this development.

17.08.040.C. Maximum Lot Depth -Eighty Feet

Findings: Not Applicable. The Concept (General) Development Plan does not include a land division or a lot line adjustment. The applicant has not proposed to alter the size of the building lot with this development.

17.08.040.D. Maximum building height: two and one-half stories, not to exceed thirty-five feet.

Findings: Not Applicable. The applicant submitted documentation of the height of all proposed development but has not submitted a Detailed Development Plan application to construct the development at this time. A majority of the buildings are proposed to be less than 12 feet in height, with the maximum height of 20 feet, less than the 35 feet permitted within the residential zoning designation. The building height shall be reviewed upon submittal of a Detailed Development Plan.

17.08.040.E 1. Front yard: twenty feet minimum depth.

Finding: Complies as Proposed. The applicant submitted a map distinguishing the general location of the proposed structures, approximately 25 feet from the front property line at the closest point. The exact location of the structures shall be reviewed for compliance upon submission of a Detailed Development Plan application.

17.08.040.E 2. Front porch, fifteen feet minimum setback,

Finding: Not Applicable. The applicant did not identify the presence of a front porch on the site. The exact location of the structures shall be reviewed for compliance upon submission of a Detailed Development Plan application.

17.08.040.E 3. Attached and detached garage, twenty feet minimum setback from the public right-of-way where access is taken, except for alleys. Detached garages on an alley shall be setback a minimum of five feet in residential areas.

Finding: Not Applicable. The applicant did not identify a garage onsite.

17.08.040.E 4. Interior side yard: ten feet minimum width for at least one side yard; eight feet minimum width for the other side yard.

Finding: Not Applicable. The subject site is configured with a front and rear property line with two corner setbacks.

17.08.040.E 5. *Corner side yard: fifteen feet minimum width.*

Finding: Complies as Proposed. Subject site is configured with three frontages, resulting in two corner side yards. The applicant submitted a map distinguishing the general location of the proposed structures, approximately 30 and 115 from each corner property line at the closest point. The exact location of the structures shall be reviewed for compliance upon submission of a Detailed Development Plan application.

17.08.040.E 6. *Rear yard: twenty feet minimum depth.*

Finding: Complies as Proposed. The applicant submitted a map distinguishing the general location of the proposed structures, approximately 125 feet from the rear property line at the closest point. The exact location of the structures shall be reviewed for compliance upon submission of a Detailed Development Plan application.

17.08.040.E 7. *Rear porch, fifteen feet minimum setback.*

Finding: Not Applicable. The applicant did not identify the presence of a rear porch on the site. The exact location of the structures shall be reviewed for compliance upon submission of a Detailed Development Plan application.

17.08.040.F. *Garage Standards. See Chapter 17.20, Residential Design Standards.*

Finding: Not Applicable. The applicant has not proposed a Detailed Development Plan with this application.

17.08.040.G. *Maximum lot coverage: The footprint of all structures two hundred square feet or greater shall cover a maximum of forty percent of the lot area.*

Finding: Complies as Proposed. The Master Plan included approximately 150,260 square feet of development over the approximately 435,000 square foot site, resulting in a lot coverage of 34%.

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 site is currently being utilized by the South Fork Water Board as a water treatment facility. The applicant provided a site plan identifying the existing layout of the site (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 provided a narrative statement describing history for the subject site. The subject site was originally developed by the South Fork Water Board in 1958 and has been subject to numerous upgrades since that time, but the use has remained the same (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, including major transportation routes and parking facilities (Exhibit 2). A map of nearby transit routes is not applicable to the proposed development.

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 subject site is surrounded by residential development within the “R-10” Single-Family Dwelling District, with the exception of the “R-8” Single-Family Dwelling district to the east. An aerial photo was submitted distinguishing the location and density of the adjacent uses (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 applicant provided a narrative statement describing history for the subject site (Exhibit 2). The subject site was originally developed by the South Fork Water Board in 1958, and has been subject to numerous upgrades since that time. Most recently, the site received a Site Plan and Design Review approval in 2005 to construct a 2-story office addition.

In 2007, the applicant submitted a Site Plan and Design Review, Water Resource and Conditional Use (CU 07-06/WR 07-28/SP 07-14) to construct a fully enclosed, concrete water tank called a ‘clearwell’. OCMC Chapter 17.58 Master Plans required that a Concept (General/Master) Development Plan be submitted for any Institutional development on a site over ten acres in size. The South Fork Water Board was not in a position to submit a Concept (General/Master) Development Plan through the Land Use process but needed to gain approval for the clear water tank facility. The applicant dedicated right-of-way to the City to reduce the size of the site from just above 10 acres to just under 10 acres.

The property owner has not been required to install public improvements or dedication in association with any previous land use application.

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 as 1/3 developed and 2/3 open space (Exhibit 2). A majority of the existing structures are located on the northern and western portions of the site.

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 statement 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.

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 provided a narrative statement describing the existing transportation conditions of the site (Exhibit 2). The site is adjacent to Hunter and Thurman (both local streets) and Swan Avenue (a collector).

Street Network and Connectivity. The site is adjacent to the public right-of-way on three sides and does not contain any internal streets. An internal driveway system provides automobile circulation throughout the site.

Bicycle Facilities and Connectivity. There are no bicycle racks currently on the subject site.

Pedestrian Facilities and Connectivity. The site is constructed with limited pedestrian accessways connecting some of the structures.

Transit Routes, Facilities and Availability. The primary bus route serving the site is TriMet with bus stops located nearby at the Swan/Holcomb and Hunter/Holcomb intersections.

Baseline Parking Demand and Supply. A paved parking area is provided, though there are no formal parking stalls identified onsite. The applicant indicated that the site is currently constructed with 10 parking spaces for employees, visitors and service vehicles.

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 as Proposed. The site is surrounded by adequate City water mains on the west, east, and north sides. Adequate sanitary sewer mains exist on the north and east sides of the site while stormwater mains are located on the north portion of the site.

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 is anticipated to be implemented over a period of twenty years.

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 Clackamas County Map Clackamas County Map 2-2E-21CD-02500 and 2-2E-28BB-00100.

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 as Proposed. The applicant indicated that phases would generally include the following:

Table 2: Master Plan Development Phases (2010-2030)

| Phase | Summary of Main Project Elements | Reason for Improvements |
|---|---|--|
| Phase One ----- 30 mgd expansion ----- Operation Expected By Summer 2015 | <ul style="list-style-type: none"> ▪ Add 10 mgd floc/sed basin, settled water pipeline & sludge pipeline ▪ Add chemical building & relocate salt/brine & sodium hypochlorite tanks to new building ▪ Expand road for delivery truck access ▪ Add rapid mix flow meter vault & 30" coagulated water pipeline; reroute 8" recycle pipeline ▪ Connect to 42" raw water pipeline completed from another project ▪ Add 2 new filters & add air scour to existing filters ▪ Remodel operations building with relocated workshop in basement; and remove existing shed ▪ Install second power supply | One additional flocculation/sedimentation basin and two new filters will be constructed to increase plant capacity. Treating more water will require use of more chemicals. Existing chemical tanks (currently located inside and outside of the headhouse) will be relocated to a new storage building constructed to protect and house all of the plant's chemicals. |
| Phase Two ----- Solids handling improvements ----- Operation Expected By Summer 2020 | <ul style="list-style-type: none"> ▪ Add two-story centrifuge building ▪ Add sludge pipeline and thickener supernatant return pipeline ▪ Add sludge holding tank, thickeners & thickened sludge pump station ▪ Add continuous sludge collectors to existing basins ▪ Add internal driveway for truck access to centrifuge building | The additional amount of water treated will produce more solids. Solids will travel to the new centrifuge facility, where they will be dewatered. The dewatered solids will be loaded into trucks and hauled off-site. On-site application of solids will discontinue. |

| | | |
|---|---|--|
| Phase Three <hr/> 40 mgd expansion <hr/> Summer 2025 | <ul style="list-style-type: none"> ▪ Demolish existing floc/sed basins ▪ Add ozone contact basins ▪ Add two 15 mgd floc/sed basins with plate settler ▪ Standby power generator & ozone generator building additions ▪ Add 2 liquid oxygen (LOX) tanks | To increase capacity, the two existing flocculation/ sedimentation basins will be replaced with two new basins that can treat greater flows. An ozone system utilizing LOX (liquid oxygen) will be added for additional disinfection and taste and odor control and trace organics control. The ozone generator building will be added to the chemical building constructed in Phase 1. An ozone basin will be located east of the flocculation/ sedimentation basins. |
|---|---|--|

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: Refer to the findings in Chapter 17.65.050.C.1 of 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. The subject site is not within a historic district or designated as an individually designated historic structure nor is the site within 250 feet of any known Goal 5 resource.

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: Complies with Conditions. The impacts of the development may take many different forms. The impacts are analyzed below:

- **Transportation Impacts (Vehicular):** The applicant identified the transportation impact of the proposal would increase by 9.5 truck trips per month, which would not significantly impact the capacity of the vehicular street system. John Replinger, a City transportation consultant with Replinger and Associates, concurred with the results of the transportation study (Exhibit 3).
- **Transportation Impacts (Pedestrian):** The site abuts three frontages, approximately 2,120 feet in length, none of which is constructed with a sidewalk on the applicant’s side of the street. In order to increase the safety of pedestrians adjacent to the site the applicant proposed to install sidewalks along Swan Avenue and widen the pavement along Hunter Avenue to provide a space for pedestrians to walk along the street pavement. No other sidewalks are proposed to be installed adjacent to the site during the 20 year Master Plan. The residential area surrounding the site is constructed with homes on large lots which were built when the area was within Clackamas County jurisdiction. Since the area was annexed into the City in 1989, some of the lots have since been subdivided and sidewalks were constructed along the frontages of the development. As the area around the subject site continues to develop, the installation of additional sidewalks around the site is expected as sidewalks comply with the Comprehensive Plan (goal 12.5 and policies 12.5.1, 12.5.2, 11.6.1 and 13.2.5) and are required in Chapters 12.04.10 and 17.62.050.A.8 of the Oregon City Municipal Code to provide connectivity and

safety for pedestrians in the City. In order to comply with the Oregon City Municipal Code the applicant shall install sidewalks along all the frontages of the site prior to final of Detailed Development Plan Phase 3.

- Internal Parking and Circulation (Pedestrian): The internal site circulation is provided by a paved surface with undefined areas for pedestrian, vehicles and bicyclists. The site currently does not comply with the pedestrian circulation standards identified in OCMC 17.62.050.A.2. The applicant proposed an adjustment to this standard which the City supports. As discussed in the analysis in Chapter 17.52 of this report the applicant shall submit documentation demonstrating compliance with the pedestrian accessway standards or receive a Variance or Adjustment prior to final of the Detailed Development Plan Phase 2.
- Internal Parking and Circulation (Vehicular): The internal site circulation is provided by a paved surface with undefined areas for pedestrian, vehicles and bicyclists. The site currently does not comply with the off-street parking standards identified in OCMC 17.52. As discussed in the analysis in Chapter 17.52 of this report the applicant shall submit documentation demonstrating compliance with the pedestrian accessway standards or receive a Variance or Adjustment prior to final of the Detailed Development Plan Phase 2.
- Public Facilities Impact: The proposed facility will increase the volume of water the South Fork Water Board is able to cleanse and distribute to the public from 22 million gallons per day to 40 million gallons per day..
- Neighborhood Livability: The applicant provided a plan (Figure 4 in Exhibit 2) of the proposed development which limits the visibility and dominance of the proposed structures from the public right-of-way. Four of the 16 proposed structures/tanks will be 20 feet in height while the remaining 12 structures will be 12 feet in height or less. The zoning designation permits structures up to 35 feet in height and thus the proposed structures will be significantly smaller and less dominant than is permitted within the zoning designation. Three of the 4 structures 20 feet in height will be located approximately 20 feet from Thurman Street and would be buffered from the street by existing and proposed landscaping. The fourth structure that is 20 in height would be setback approximately 175 feet from Hunter Avenue and thus would not dominate the streetscape. Limiting the height of the proposed structures, installing a landscaped buffer and setting the structures back from the property line would limit the visibility and dominance of proposed structures.

The location of the landscape buffer was identified by the applicant but the quantities, species and size of the landscaping was not identified. The applicant indicated that “the landscaping plan would 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.” As the taller landscaping elements such as trees and large shrubs would provide more adequate mitigation by screening the structures from view and providing an appealing space for pedestrians, the applicant shall assure that the landscaping in the areas identified as “future landscaped areas” and the adjacent areas buffering the structures along Thurman in Exhibit 2 is identified on a landscaping plan 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 and screen 50 percent of the structures identified as A and J on figure 4 of Exhibit 2 at full maturity. 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 applicant shall assure the landscaping is installed prior to final of the Detailed Development Plan associated with buildings A and J.

All of the proposed structures are located relatively close to the existing development, leaving the grove of trees in the southeast corner of the site and retaining a majority of the remaining trees onsite.

Though all structures are subject to the material standards in OCMC 17.62.050.A.21, the structures over 12 feet in height shall assure compatibility with the adjacent residents by assuring compliance with standards for variation in massing, minimum wall articulation and roof treatments in OCMC Chapter 17.62.055G-J.

The site abuts three frontages, approximately 2,120 feet in length, none of which is constructed with a sidewalk on the applicant's side of the street. In order to increase the safety of pedestrians adjacent to the site the applicant proposed to install sidewalks along Swan Avenue and widen the pavement along Hunter Avenue to provide a space for pedestrians to walk along the street pavement. No other sidewalks are proposed to be installed adjacent to the site during the 20 year Master Plan. The residential area surrounding the site is constructed with homes on large lots which were built when the area was within Clackamas County jurisdiction. Since the area was annexed into the City in 1989, some of the lots have since been subdivided and sidewalks were constructed along the frontages of the development. As the area around the subject site continues to develop, the installation of additional sidewalks around the site is expected as sidewalks comply with the Comprehensive Plan (goal 12.5 and policies 12.5.1, 12.5.2, 11.6.1 and 13.2.5) and are required in Chapters 12.04.10 and 17.62.050.A.8 of the Oregon City Municipal Code to provide connectivity and safety for pedestrians in the City. In order to comply with the Oregon City Municipal Code the applicant shall install sidewalks along all the frontages of the site prior to final of Detailed Development Plan Phase 3. Conditional uses in residential zoning designations are significantly more compatible with the permitted uses by providing the same public improvements (such as sidewalks) which will be required when the property around the site develops to city standards.

- **Natural, Cultural and Historical Resource Impacts:** The site is not within a historic district or designated as an individually designated historic structure nor are there any historic structures near to the site. The south eastern corner of the property is within the Natural Resource Overlay District as well as the Geologic Hazards Overlay District which will be analyzed during the Detailed Development review.

The applicant can meet this standard by complying with Conditions of Approval 3, 8, 9 and 18.

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 17.65.050.B.1.f.

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 identified the transportation impact of the development as an increase of 9.5 additional vehicle trips per month (Exhibit 2). The transportation

impacts were limited by future structures which would not be staffed full-time and by transferring the administrative employees to another facility. The transportation study was reviewed by John Replinger, transportation consultant for the City from Replinger and Associates whom concurred with the impacts of the Master Plan (Exhibit 3).

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: Please refer to the analysis in 17.65.050.B.1.f.

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 with Conditions. The applicant submitted a site plan for the proposed development showing the approximate location of proposed vehicular, bicycle, and pedestrian access points and circulation patterns, parking and loading areas. The site is currently nonconforming as it does not comply with the current standards for parking lot landscaping, pedestrian accessway standards, etc. OCMC Chapter 17.58.040.C.2.a requires upgrades to nonconforming portions of the site for additions and exterior alterations more than \$75,000. Proportional upgrades to the site are required per OCMC Chapter 17.58 and full compliance is expected within the 20 year Master Plan process. Per OCMC 17.58, ten percent of the \$40 million project cost shall be allocated to assuring compliance with pedestrian circulation systems, minimum perimeter parking lot landscaping, minimum interior parking lot landscaping, minimum site landscaping requirements, bicycle parking by upgrading existing racks and

providing additional spaces, screening, and paving of surface parking and exterior storage and display areas. Prior to issuance of a permit, the applicant shall submit a plan demonstrating compliance with OCMC 17.58.040.C.

Vehicle Circulation Plan. The parking lot currently consists of a paved surface without any defined areas. The applicant proposed to add to the paved parking lot by installing over 7,000 square feet of additional pavement to provide access to the new structures on the north portion of the site. It is unclear how the paved area will be utilized as no additional parking stalls or circulation plans have been proposed. Prior to approval of the parking lot, the applicant shall demonstrate how the paved area would be utilized and compliance with the minimum and maximum number of parking stalls allowed and all other standards in OCMC 17.52. This will assure that the parking lot does not become more nonconforming by adding more parking stalls than is permitted, decreasing the amount of parking lot landscaping, etc. The applicant is additionally required to upgrade the nonconforming parking lot by adding landscaping pursuant to OCMC 17.58.

The applicant has proposed to add a gravel accessway on the southwest corner of the site. Gravel accessways are not permitted in Chapter 17.52 of the Oregon City Municipal Code.

Bicycle Circulation Plan. The site currently does not contain a bicycle rack. The applicant proposed to install 2 bicycle parking stalls in accordance with the Master Plan. The number of bicycle parking is based upon the number of automobile stalls provided onsite which is unknown. The applicant is required to identify the appropriate number of parking stalls and pursuant to OCMC 17.58, install bicycle parking prior to final of the Detailed Development Plan Phase 2

Pedestrian Circulation Plan. The applicant proposed an adjustment to the pedestrian accessway requirements as the structures onsite are not open to the public nor are they frequently accessed by staff. The site is currently constructed with limited pedestrian access which is proposed to be marginally increased with the build-out of the master plan. The applicant shall submit documentation demonstrating compliance or receive an adjustment or Variance to the standards in OCMC 17.52 as described below:

Phase 1 – The applicant shall demonstrate the site is compliant with the number of automobile spaces required and standards for automobile parking in OCMC 17.52.020 and 17.52.030 prior to final of the Detailed Development Plan Phase 1 permits.

Phase 2 – The applicant shall demonstrate the site is compliant with bicycle parking in OCMC 17.52.040 prior to final of the Detailed Development Plan Phase 2 permits.

Phase 3 – The applicant shall demonstrate the site is compliant with parking lot landscaping in OCMC 17.52.060 and all other sections of OCMC 17.52 prior to final of the Detailed Development Plan Phase 3 permits.

The applicant may demonstrate compliance with any section of OCMC Chapter 17.52 prior to the phase indicated above. **The applicant can meet this standard by complying with condition of approval 3 and 21.**

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 with Condition. The applicant submitted a map displaying the approximate location of all pedestrian, bicycle and automobile facilities within 250 feet of the site. The applicant proposed compliance with the bicycle parking standards, and an adjustment to the pedestrian accessway standards. The applicant shall submit documentation demonstrating compliance or receive an adjustment or Variance to the standards in OCMC 17.52 as described below:

Phase 1 – The applicant shall demonstrate the site is compliant with the number of automobile spaces required and standards for automobile parking in OCMC 17.52.020 and 17.52.030 prior to final of the Detailed Development Plan Phase 1 permits.

Phase 2 – The applicant shall demonstrate the site is compliant with bicycle parking in OCMC 17.52.040 prior to final of the Detailed Development Plan Phase 2 permits.

Phase 3 – The applicant shall demonstrate the site is compliant with parking lot landscaping in OCMC 17.52.060 and all other sections of OCMC 17.52 prior to final of the Detailed Development Plan Phase 3 permits.

The applicant may demonstrate compliance with any section of OCMC Chapter 17.52 prior to the phase indicated above. **The applicant can meet this standard by complying with condition of approval 3 and 21.**

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: Complies with Conditions. The site is surrounded by adequate City water mains on the west, east, and north sides. Adequate sanitary sewer mains exist on the north and east sides of the site. Stormwater mains exist on the north side. There are no required easements. In order to comply with the Oregon City Municipal Code, the applicant shall provide required stormwater facility improvements in association with frontage improvements. The applicant is responsible for this project's compliance with Engineering Policy 00-01. The applicant shall connect all new on-site facilities to the public sanitary sewer system as necessary to meet plumbing code.

The applicant submitted a map of the public facilities on Figure 4 of Exhibit 2 which primarily displayed on-site or SFWB-specific public utilities and not off-site public utilities in the streets surrounding the site. Future plan submittals for detailed development plans shall show all public utilities in the streets including the new stormwater facilities. **The Applicant can comply with this standard by meeting Conditions of Approval 4, 5 and 6.**

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 approximate location and footprint of the proposed structures. 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. The maximum square footages are described below:

| Structure | Area (sq. ft.) |
|--------------------------|----------------|
| Phase 1 | |
| A. New chemical building | 4,000 |

| | |
|---|--------|
| B. New Flocculation/Sedimentation Basin | 12,150 |
| C. Flowmeter/ Rapid Mix Vault | 800 |
| D. New Filters (2) total | 3,000 |

Phase 2

| | |
|--|-------|
| E. Solids Pump Station | 320 |
| F. New Two-Story Dewatering Building with Centrifuges | 4,900 |
| G. Solids Holding Tank and Gravity Sludge Thickeners (3) total | 1,500 |

Phase 3

| | |
|---|-----------|
| H. Ozone Generator, & Standby Power Building (addition to Chemical Building) | 3,000 |
| I. New (remodeled) Flocculation/ Sedimentation Basins (2) total | 24,300 |
| J. New Ozone Contact Basins | 4,500 |
| K. New Liquid Oxygen (LOX) Tanks (2) | 600 total |

Total 58,770

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 a map displaying the approximate locations of areas which would remain as grass or wooded 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."*

South Fork Water Board provides water service to approximately 63,000 people in Oregon City, West Linn and parts of unincorporated Clackamas County. This Master Plan projects improvements to meet future demand by upgrading the water treatment capacity from 22 million gallons per day to 40 million gallons per day by installation of 16 additional structures/tanks, totaling over 58,000 square feet. In order to facilitate an efficient approval process the applicant has proposed a series of adjustments identified within this report.

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 with Condition. The applicant identified an increase of 9.5 additional vehicle trips per month associated with this application (Exhibit 2). The study was review by John Replinger of Replinger and Associates, a city consultant, who concurred with the results of the traffic analysis (Exhibit 3).

The subject site was originally constructed in 1958 and has since developed with 15 structures/tanks totaling approximately 113,115 square feet. The applicant has not been required as a condition of approval to dedicate any land for public right-of-way or install any public improvements to date. In 2005 the applicant obtained Site Plan and Design Review approval in 2005 to construct a 2-story office addition and in 2007, the applicant received approval of a Site Plan and Design Review and Conditional Use construct a fully enclosed, concrete water tank called a 'clearwell'. The applicant dedicated approximately 8,000 square feet to the public right-of-way along Thurman and Swan prior to submittal of a Site Plan and Design Review and Conditional Use application in order to reduce the overall property size by approximately 8,000 square feet and intern avoid a Master plan which is required for Institutional development on a site over ten acres in size.

The site abuts three frontages, approximately 2,120 feet in length, none of which is constructed with a sidewalk on the applicant's side of the street. In order to increase the safety of pedestrians adjacent to the site the applicant proposed to install sidewalks along Swan Avenue and widen the pavement along Hunter Avenue to provide a space for pedestrians to walk along the street pavement. No other sidewalks are proposed to be installed adjacent to the site during the 20 year Master Plan. The residential area surrounding the site is constructed with homes on large lots which were built when the area was within Clackamas County jurisdiction. Since the area was annexed into the City in 1989, some of the lots have since been subdivided and sidewalks were constructed along the frontages of the development. As the area around the subject site continues to develop, the installation of additional sidewalks around the site is expected as sidewalks comply with the Comprehensive Plan (goal 12.5 and policies 12.5.1, 12.5.2, 11.6.1 and 13.2.5) and are required in Chapters 12.04.10 and 17.62.050.A.8 of the Oregon City Municipal Code to provide connectivity and safety for pedestrians in the City. In order to comply with the Oregon City Municipal Code the applicant shall install sidewalks along all the frontages of the site prior to final of Detailed Development Plan Phase 3. Conditional uses in residential zoning designations are significantly more compatible with the permitted uses by providing the same public improvements (such as sidewalks) which will be required when the property around the site develops to city standards.

The site currently operates with a maximum operating capacity of 22 million gallons per day. The Master Plan includes the installation of 16 structures/tanks which will result in an increase in capacity of the facility to 40 million gallons per day. The doubling of capacity and installation of 16 additional structures/tanks results in a significant increase in the impact of the site, requiring compliance with sidewalks.

| | Hunter Avenue - Local |
|--------------------|--|
| Existing Condition | Right-of-way: 40 feet Pavement: 9 to 9.5 feet half street (18-19 feet total) |
| OCMC Requirement | Right-of-way: 54 feet Pavement: 16 feet half street plus 10 feet Planter Strips: 5 foot or more Sidewalks: 5-foot Street trees |
| TSP Requirement | Right-of-way: 42-54 feet |

| | |
|---------------------------------|---|
| | Pavement: 16-36 feet Required Elements for Half Street: <ul style="list-style-type: none"> • 1' Utility Strip • 5' Sidewalk • 5' Planter Strip with street trees • 2' Shy Distance (not required if adjacent parking lane provided) • 8' Travel Lane (16' shared bi-directional travel lane) Optional Elements for Half Street: <ul style="list-style-type: none"> • 8' Parking Lane |
| City Staff Proposed Improvement | <ul style="list-style-type: none"> • 16 feet of pavement on the applicant's side of centerline • 16-foot travel/parking lane, • Pavement of 10 feet on the opposite side of the centerline as necessary • Curb and gutter, • 5-foot-wide planter strip (including curb), • 5-foot sidewalk, • City utilities (water, sanitary sewer, and storm drainage facilities) and • Street trees. Dedication: <ul style="list-style-type: none"> • 2.5-foot strip on Tax Lots 100 and 2500 |
| Applicant Proposed Improvement | Add approximately 14 feet of pavement width for a total pavement width of 32 feet (no sidewalk) and corresponding dedication of land. |
| | Thurman Street - Local |
| Existing Condition | Right-of-way: 50.5 feet counting previous 7.5 feet dedication from SFWB Pavement: 26 feet half street Sidewalks: North side only |
| OCMC Requirement | Right-of-way: 54 feet Pavement: 16 feet half street plus 10 feet Planter Strips: 5 foot or more Sidewalks: 5-foot Street trees |
| TSP Requirement | Right-of-way: 42-54 feet Pavement: 16-36 feet Required Elements for Half Street: <ul style="list-style-type: none"> • 1' Utility Strip • 5' Sidewalk • 5' Planter Strip with street trees • 2' Shy Distance (not required if adjacent parking lane provided) • 8' Travel Lane (16' shared bi-directional travel lane) Optional Elements for Half Street: <ul style="list-style-type: none"> • 8' Parking Lane |
| City Staff Proposed Improvement | <ul style="list-style-type: none"> • 16 feet of pavement on the applicant's side of centerline • Pavement of 10 feet on the opposite side of the centerline as necessary • 16-foot travel/parking lane, • Curb and gutter, • 5-foot sidewalk (including curb) and • City utilities (water, sanitary sewer, and storm drainage facilities) |
| Applicant Proposed Improvement | No changes. Full sidewalk on opposite side serves pedestrians. |

| | |
|---------------------------------|---|
| | Swan Avenue - Collector |
| Existing Condition | Right-of-way: 27.5 feet on Tax Lot 2500 and 16.5 feet on Tax Lot 100 Pavement: 10 feet half street with varying widths -- 10-17 feet -- on the other side of centerline |
| OCMC Requirement | Right-of-way: 86 feet Pavement: 31 feet half street plus 10 feet Planter Strips: 5 foot or more Sidewalks: 6-foot Street trees |
| TSP Requirement | Right-of-way: 60-86 feet Pavement: 34-62 feet Required Elements for Half Street: <ul style="list-style-type: none"> • 1' utility Strip • 6' Sidewalk • 6' Bike Lane • 11' Travel Lane Optional Elements for Half Street: <ul style="list-style-type: none"> • 5' Planter Strip with street trees • 8' Parking Lane • 6' Turn Lane/Median (12' total) |
| City Staff Proposed Improvement | <ul style="list-style-type: none"> • 17 feet of pavement on the applicant's side of centerline • Pavement of 10 feet on the opposite side of the centerline as necessary, • 11-foot travel lane, • 6-foot bike lane, • Curb and gutter, • 5-foot-wide planter strip (including curb), • 6-foot-wide sidewalk behind the planter strip, • City utilities (water, sanitary sewer, and storm drainage facilities) and • Street trees. Dedication: <ul style="list-style-type: none"> • 0.5-foot strip on Tax Lot 2500 and a full 11.5-foot strip on Tax Lot 100. |
| Applicant Proposed Improvement | The applicant proposed to dedicate land and install public improvements along the abutting portion of Swan Avenue to comply with a collector street standard but did not identify the exact improvements. The improvements identified by staff may be equivalent to the improvements the applicant has proposed. |

The adjacent street frontages for Thurman, Sawn and Hunter do not comply with the standards identified in OCMC chapter 12.08 and 12.04. In order to assure the adjacent streets comply with the standards identified above, prior to issuance of the Detailed Development Plan Phase 1 the applicant shall submit a phasing plan for the improvements identified as "City Staff Proposed Improvement" in the findings of 17.65.050.C.2. The improvements shall be installed within the next 20 years, prior to final of Phase 3 of the Detailed Development Plan. **The applicant can comply with this standard by meeting Condition of Approval 3.**

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. New fire hydrants would be placed according to fire department code at the time of individual Detailed Development Plan review.

Police Protection. No significant police issues exist now nor will future build out create any police issues.

Fire Protection. The development proposal shall be reviewed for compliance with the Clackamas County Fire Department upon submittal of the Detailed Development Plan.

Sanitary Sewer. Adequate sanitary sewer mains exist to the north and east of the site. During the Detailed Development Plan reviews, the applicant shall provide connection to new/existing sanitary sewer for new future facilities as required by plumbing code.

Storm Water. Adequate stormwater mains exist bordering the site except as required by the new half-street improvements. The applicant shall provide stormwater facilities as necessary for street improvements. During the Detailed Development Plan reviews, the applicant shall provide site analysis to determine what if any stormwater detention and water quality are required by the current code and implement appropriate Low Impact Design efforts.

The applicant is responsible for this project's compliance with Engineering Policy 00-01. **The Applicant can comply with this standard by meeting Conditions of Approval 4, 5, and 7.**

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 Goal 5 historic or cultural resources in or within 250 feet of the development. The subject site does have the Natural Resource Overlay District mapped on the subject site.

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.C.2 and 17.65.050.B.1.f of this report. The applicant categorized the impacts of development in the Exhibit 2 of the development application.

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

Findings: Please refer to the analysis on OCMC 17.56.010.A.5 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.

17.65.060 Detailed Development Plan

Findings: Not Applicable. The applicant has not submitted a Detailed Development Plan application at this time. Approval of a Detailed Development Plan is required prior to construction.

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 multiple adjustments with the Master Plan application.

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.1 limits the height of fences to 3.5 feet in front of the front facade 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) are limited to six feet in total height. Thurman Street is considered the front of the site according to the definition of front lot line in OCMC 17.04.490 and thus the applicant is permitted to install a 6 foot fence around the site, except in front of the structures closest to the Thurman property line. An adjustment of this standard would allow 6-foot fencing in front of the structures along Thurman.

The site is currently surrounded by a 6-foot fence. It is unknown the year the fence was originally constructed, though the 6-foot fence along the Thurman frontage may have been legally constructed prior to the enactment of the fence height requirement. If the applicant provides documentation that the fence was constructed legally, the 6-foot portion of the fence along Thurman may be repaired, replaced or expanded in accordance with OCMC 17.58. The applicant will not have to pursue a determination that the fence is legally nonconforming if this adjustment is approved.

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

Finding: Complies as Proposed. The purpose of limiting fence height is to provide a visual connect to allow development to interact with the street, enhance Oregon City through the creation of attractively designed streetscapes, improve public safety by providing "eyes on the street" and promote community interaction. The site is currently surrounded by an existing 6-foot chain link fence which has been in place for several decades. The applicant indicated that "as an essential facility for providing safe, clean drinking water to City residents, and adequate water for fire-fighting purposes, the treatment plant must be secure from trespass. The fence minimizes visual impacts as much as possible while still creating a satisfactory barrier to intrusion. ... Maintaining a protected perimeter is required, and the fence is part of

a site security plan [which is] ... a requirement of and coordinated with the federal Department of Homeland Security”.

The fence has been constructed for decades and may have been constructed legally prior to the adoption of the fence height limitation. If the fence was constructed legally the 6-foot fence in front of the buildings on Thurman would be allowed to remain and an adjustment to this standard would not have an impact to the site. The applicant proposed to meet the intent of the standard by installing landscaping along Thurman Street and provide an attractively designed streetscape for pedestrians. The landscaping is analyzed in 17.65.75.D.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: Does not Comply. The applicant proposed multiple adjustments to the site including:

- Adjusting the fence height to allow a 6-foot tall fence along the front of the site.
- Adjusting materials standards to allow a chain link fence around the perimeter of the site.
- Adjusting the pedestrian accessway standards to not require any new or upgraded pedestrian accessways on the interior of the site.
- Adjusting the interior and perimeter parking lot landscaping standards to not require any new or upgraded interior parking lot landscaping.
- Adjusting the Institutional and Commercial building standards so that they are not applicable.
- Adjusting the Municipal Code to alter the sidewalk and street improvements.

As a whole, the list of adjustments would allow the applicant to install 16 new buildings or tanks totaling 58,770 square feet with 7,110 feet of pavement and a 5,300 square foot gravel access road with nearly no upgrades to the nonconforming site. If all of the adjustments are granted, the cumulative effect would be a site with nearly double the existing development and no upgrades or street improvements. Chapter 17.58 of the Oregon City Municipal Code is intended to guide properties which were developed prior to the adoption of specific standards “in a new direction consistent with city policy, and, eventually, bring them into conformance”. Approval of all of the adjustments would allow the site to remain inconsistent with the current Oregon City Municipal Code. As the applicant has not demonstrated compliance with all of the approval criteria for the proposed adjustments, staff recommends only a portion of the adjustments are approved. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. **The applicant can satisfy this standard by complying with Condition of Approval 1.**

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; however fence height will not affect the quality of the goal 5 resources onsite.

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

Finding: Complies with Condition. The fence has been constructed for decades and may have been constructed legally prior to the adoption of the fence height limitation. If the fence was constructed legally the 6-foot fence in front of the buildings on Thurman would be allowed to remain and an adjustment to this standard would not have an impact to the site. The applicant proposed to meet the intent of the standard by installing landscaping along Thurman Street and provide an attractively designed streetscape for pedestrians.

The location of the landscape buffer was identified by the applicant but the quantities, species and size of the landscaping was not identified. The applicant indicated that “the landscaping plan would 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.” As the taller landscaping elements such as trees and large shrubs would provide more adequate mitigation by screening the fence from view and providing an appealing space for pedestrians, the applicant shall assure that the landscaping in the areas identified as “future landscaped areas” in Exhibit 2 is identified on a landscaping plan 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 applicant can satisfy this standard by complying with Condition of Approval 8.**

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: Not Applicable. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49). The proposed adjustment would affect the northern portion of the site adjacent to Thurman Street.

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

Finding: Complies as Proposed. The proposed adjustment is consistent with the goal identified below in the Comprehensive Plan as it will increase the efficiency and safety of the water distribution system, while meeting the federal standards to enclose the facility within the 6 foot fence.

Goal 11.3 Water Distribution - Seek the most efficient and economic means available for constructing, operating, and maintaining the City's water distribution system while protecting the environment and meeting state and federal standards for potable water systems.

Oregon City Municipal Code Adjustment #2: Fence Materials

On July 31, 2009, Oregon City Municipal Code Chapter 17.62.055.A.21.b.iv prohibited chain link fencing in visible locations unless an exception is granted by the Community Development Director based on the integration of the material into the overall design of the structure. An adjustment of this standard would allow chain link fencing along each of the property lines.

The site is currently surrounded by a chain link fence. It is unknown the year the fence was originally constructed, though it was constructed prior to the enactment of the fence height requirement. If the applicant provides documentation that the fence was constructed legally, the chain link fence could be repaired, replaced or expanded in accordance with OCMC 17.58. The applicant will not have to pursue a determination that the fence is legally nonconforming if this adjustment is approved.

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

Finding: Complies with Condition. The purpose of Site Plan and Design Review is to “protect lives and property from potential adverse impacts of development; conserve the City's natural beauty and visual character and ensure that structures and other improvements are properly related to their sites and to surrounding sites and structure” per OCMC 17.62.010. The prohibition of chain link eliminates a low quality fencing material for properties subject to Site Plan and Design Review process and requires a more quality material such as wood, wrought iron or brick.

If the applicant provides documentation that the fence was constructed legally in accordance with OCMC 17.58, the existing fence could be repaired, replaced or expanded in accordance with OCMC Chapter 17.58 and thus the adjustment would not impact the development of the site.

The applicant suggested a condition of approval to mitigate the adjustment by requiring that as the fence is replaced the applicant would install a black vinyl-coated or powder-coated chain link material to provide a higher quality appearance from the existing, noncoated fence. The applicant shall assure if large sections of chain link fencing are replaced, black vinyl or power coated fencing shall replace the existing fencing material. **The applicant can satisfy this standard by complying with Condition of Approval 12.**

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: Does not Comply. The applicant proposed multiple adjustments to the site including:

- Adjusting the fence height to allow a 6-foot tall fence along the front of the site.
- Adjusting materials standards to allow a chain link fence around the perimeter of the site.
- Adjusting the pedestrian accessway standards to not require any new or upgraded pedestrian accessways on the interior of the site.
- Adjusting the interior and perimeter parking lot landscaping standards to not require any new or upgraded interior parking lot landscaping.
- Adjusting the Institutional and Commercial building standards so that they are not applicable.
- Adjusting the Municipal Code to alter the sidewalk and street improvements.

As a whole, the list of adjustments would allow the applicant to install 16 new buildings or tanks totaling 58,770 square feet with 7,110 feet of pavement and a 5,300 square foot gravel access road with nearly no upgrades to the nonconforming site. If all of the adjustments are granted, the cumulative effect would be a site with nearly double the existing development and no upgrades or street improvements. Chapter 17.58 of the Oregon City Municipal Code is intended to guide properties which were developed prior to the adoption of specific standards “in a new direction consistent with city policy, and, eventually, bring them into conformance”. Approval of all of the adjustments would allow the site to remain inconsistent with the current Oregon City Municipal Code. As the applicant has not demonstrated compliance with all of the approval criteria for the proposed adjustments, staff recommends only a portion of the adjustments are approved. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. **The applicant can satisfy this standard by complying with Condition of Approval 1.**

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; however fence material will not affect the quality of the goal 5 resources onsite.

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

Finding: Complies as Proposed. As the chain link fence was likely legally constructed, the applicant is permitted to repair and replace in accordance with the Nonconforming Uses, Structures and Lots in Chapter 17.58 and this no impacts would result from the proposed adjustment.

The applicant suggested a condition of approval to mitigate the adjustment by requiring that as the fence is replaced the applicant would install a black vinyl-coated or powder-coated chain link material to provide a higher quality appearance from the existing, noncoated fence. The applicant shall assure if large sections of chain link fencing are replaced, black vinyl or power coated fencing shall replace the existing fencing material. **The applicant can satisfy this standard by complying with Condition of Approval 12.**

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. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49). Replacement of the fence with the same material would not affect the condition of the NROD area.

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

Finding: Complies as Proposed. The proposed adjustment is not specifically identified as consistent or inconsistent with the goals and policies of the Comprehensive Plan, though the coating would result in a higher quality fencing which is more consistent with the Oregon City Municipal Code.

Oregon City Municipal Code Adjustment #3: Pedestrian Accessways

Chapter 17.62.055.A.9 requires a well-marked, continuous and protected on-site pedestrian circulation to promote connectivity within the site and to the right-of-way as well as protect pedestrians from vehicles, etc. The applicant proposed to remove any standard requiring pedestrian accessways. Approval of this standard would not require existing or future development to comply with OCMC Chapter 17.62.055.A.9.

OCMC Chapter 17.58.040.C.2.a requires additions and exterior alterations more than \$75,000 spend 10% of the project cost to upgrade to nonconforming portions of the site, such as pedestrian accessways. If the adjustment is approved the \$40 million project would not be required to install pedestrian accessways per OCMC 17.58.

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

Finding: Complies as Proposed. The pedestrian circulation system criterion provides safe movement between building entrances, buildings and the street, etc. The site contains a paved connection between a majority of the existing structures on the northern portion of the site and the street. Once the site is fully developed all of the structures on the northern portion of the site will be connected with a paved surface but there would be no connection to the development in the middle and southern portions of the site and the paved connection does not provide a space specifically dedicated to pedestrians. The applicant indicated that “all of the new development proposed, except an interior remodel of the operations building, is for process buildings and structures that increase efficiency and capacity and upgrade outdated equipment. The buildings proposed are largely storage facilities for water or for water treatment equipment. They will be only infrequently accessed by South Fork Water Board employees and never open to the general public. The facility is closed to ‘pedestrians’ in the broader sense of the word by a secure fence around the perimeter of the site.” The Master Plan includes processing buildings spread throughout the approximately 10 acre site which require no visitation by the public and minimal staff visitation. As the site is not open to the public and the structures in the middle and southern portion of the site would require little visitation from employees, no impact would result from the adjustment.

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: Does not Comply. The applicant proposed multiple adjustments to the site including:

- Adjusting the fence height to allow a 6-foot tall fence along the front of the site.
- Adjusting materials standards to allow a chain link fence around the perimeter of the site.
- Adjusting the pedestrian accessway standards to not require any new or upgraded pedestrian accessways on the interior of the site.
- Adjusting the interior and perimeter parking lot landscaping standards to not require any new or upgraded interior parking lot landscaping.
- Adjusting the Institutional and Commercial building standards so that they are not applicable.

- Adjusting the Municipal Code to alter the sidewalk and street improvements.

As a whole, the list of adjustments would allow the applicant to install 16 new buildings or tanks totaling 58,770 square feet with 7,110 feet of pavement and a 5,300 square foot gravel access road with nearly no upgrades to the nonconforming site. If all of the adjustments are granted, the cumulative effect would be a site with nearly double the existing development and no upgrades or street improvements. Chapter 17.58 of the Oregon City Municipal Code is intended to guide properties which were developed prior to the adoption of specific standards “in a new direction consistent with city policy, and, eventually, bring them into conformance”. Approval of all of the adjustments would allow the site to remain inconsistent with the current Oregon City Municipal Code. As the applicant has not demonstrated compliance with all of the approval criteria for the proposed adjustments, staff recommends only a portion of the adjustments are approved. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. **The applicant can satisfy this standard by complying with Condition of Approval 1.**

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, however no development is proposed within the NROD area and thus the adjustment would not affect the quality of the goal 5 resources onsite.

17.65.71.D.4. *Any impacts resulting from the adjustment are mitigated; and*
Finding: Complies as Proposed. As the site is not open to the public and the structures in the middle and southern portion of the site would require little visitation from employees, no impact would result from the adjustment.

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. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49). As no development is proposed within the NROD, adjusting the pedestrian circulation system requirement has no impact on the resource values on this area of the site.

17.65.71.D.6. *The proposed adjustment is consistent with the Oregon City Comprehensive Plan and ancillary documents.*
Finding: Complies as Proposed. The proposed adjustment is not specifically identified as consistent or inconsistent with the goals and policies of the Comprehensive Plan. As the site is not open to the public and the small staff onsite will not need to regularly access each of the facilities, the intent of the pedestrian accessway standards in the Oregon City Municipal Code is not applicable.

Oregon City Municipal Code Adjustment #4: Interior and Perimeter Parking Lot Landscaping
 OCMC Chapter 17.52.060.D and B requires landscaping be provided within the interior and around the perimeter of parking lots. The parking lot is currently constructed without any interior parking lot landscaping and with perimeter parking lot landscaping which does not comply with the standards in the Oregon City Municipal Code. The applicant requested an adjustment to waive all of the interior and perimeter parking lot landscaping requirements in order to accommodate existing truck traffic. Approval of this standard would not require existing or future development to comply with OCMC Chapter 17.52.060.D and B.

OCMC Chapter 17.58.040.C.2.a requires additions and exterior alterations more than \$75,000 spend 10% of the project cost to upgrade to nonconforming portions of the site, such as interior parking lot landscaping. If the adjustment is approved for the \$40 million project the applicant would not be

required to install the interior or perimeter parking lot landscaping per OCMC 17.58.

Staff recommends the adjustment #4 be denied.

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

Finding: Does not Comply. Chapter 17.52.060 of the Oregon City Municipal Code identifies the purpose of parking lot landscaping is:

- To enhance and soften the appearance of parking lots;
- To limit the visual impact of parking lots from sidewalks, streets and particularly from residential areas;
- To shade and cool parking areas;
- To reduce air and water pollution;
- To reduce storm water impacts and improve water quality; and
- To establish parking lots that are more inviting to pedestrians and bicyclists.

The site is currently developed with an approximately 21,700 square foot paved surface for automobiles and pedestrians which does not contain interior parking lot landscaping. If the proposed adjustment is granted, the future parking lot expansions be subject to this standard and the applicant will not have to install interior parking lot landscaping as required by OCMC 17.58.

The existing parking lot is surrounded by a grassy area with incremental mature trees. Approximately 1% of the parking lot is directly covered with the canopy of a tree and the proposed 7,110 square foot parking lot expansion area would result in a 28,810 paved surface with no interior parking lot landscaping and no additional tree canopy. The adjustment would not comply with the intent of the parking lot landscaping standards as the parking lot would be expanded to a larger paved surface which would increase the visual impact of the parking lot and more impervious surfaces and stormwater without the landscaping to provide shade, reduce air and water pollution. The parking lot consists of an undefined space for automobiles and pedestrians which does not have a softened appearance. The conditional approval of this application shall not include adjustment #4 for interior and perimeter parking lot landscaping. **The applicant can satisfy this standard by complying with Condition of Approval 13.**

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: Does not Comply. The applicant proposed multiple adjustments to the site including:

- Adjusting the fence height to allow a 6-foot tall fence along the front of the site.
- Adjusting materials standards to allow a chain link fence around the perimeter of the site.
- Adjusting the pedestrian accessway standards to not require any new or upgraded pedestrian accessways on the interior of the site.
- Adjusting the interior and perimeter parking lot landscaping standards to not require any new or upgraded interior parking lot landscaping.
- Adjusting the Institutional and Commercial building standards so that they are not applicable.
- Adjusting the Municipal Code to alter the sidewalk and street improvements.

As a whole, the list of adjustments would allow the applicant to install 16 new buildings or tanks totaling 58,770 square feet with 7,110 feet of pavement and a 5,300 square foot gravel access road with nearly no upgrades to the nonconforming site. If all of the adjustments are granted, the cumulative effect would be a site with nearly double the existing development and no upgrades or street improvements. Chapter 17.58 of the Oregon City Municipal Code is intended to guide properties which were developed prior to the adoption of specific standards “in a new direction consistent with city policy, and, eventually, bring them into conformance”. Approval of all of the adjustments would allow the site to

remain inconsistent with the current Oregon City Municipal Code. As the applicant has not demonstrated compliance with all of the approval criteria for the proposed adjustments, staff recommends only a portion of the adjustments are approved. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. **The applicant can satisfy this standard by complying with Condition of Approval 1.**

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, though no development is proposed within the NROD area and thus would not affect the quality of the goal 5 resource onsite.

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

Finding: Does not Comply. Approval of the adjustment would result in expanding the existing nonconforming parking lot to be 7,110 square feet larger with no interior parking lot landscaping and extremely little perimeter parking lot landscaping. The proposal would not comply with the intent of parking lot landscaping as identified in COMC 17.52.060 and the applicant has not proposed any mitigation. The conditional approval of this application shall not include adjustment #4 for interior and perimeter parking lot landscaping. **The applicant can satisfy this standard by complying with Condition of Approval 13.**

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. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49). As no development is proposed within the NROD, adjusting parking lot landscaping would not affect the condition of the NROD area.

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

Finding: Does not Comply. The proposed adjustment does not comply with the following goals and policies of the Comprehensive Plan because fewer trees and plants would be planted on the site then required by the Oregon City Municipal Code:

Goal 6.1 Air Quality - Promote the conservation, protection and improvement of the quality of the air in Oregon City.

Policy 6.1.4 - Encourage the maintenance and improvement of the city's tree canopy to improve air quality.

The conditional approval of this application shall not include adjustment #4 for interior and perimeter parking lot landscaping. **The applicant can satisfy this standard by complying with Condition of Approval 13.**

Oregon City Municipal Code Adjustment #5: Design Standards for New Buildings

The site is South Fork Water Board developed the site with an office and associated industrial type tanks and buildings in order to treat drinking water for the public. Institutional is defined in OCMC 17.04.595 as "all public, semi-public and private community facilities..." which would require development of the site to comply with the building design standards in OCMC 17.62.055. The applicant proposed an adjustment so that the institutional and commercial design standards identified in OCMC Chapter 17.62.055 do not apply to this development. If the proposed adjustment is approved, the structures would not be subject to compliance with OCMC Chapter 17.62.055.

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

Finding: Complies with Condition. The applicant indicated that “practically speaking, most of the standards for institutional and commercial buildings would be impossible to meet for a utilitarian, functional building such as a sedimentation basin or a solids dewatering building. It is not feasible to implement façade transparency standards, ‘main entrances’ fronting on the street, and other design elements if these water treatment buildings are to function. ... Structures on the site are extremely utilitarian, designed to house equipment and materials that treat water, or storage of the water itself” (Exhibit 2). The purpose of the regulation as identified in OCMC Chapter 17.62 and an analysis is provided below:

- *Provide a range of design choices that promote creative, functional, and cohesive development that is compatible with surrounding areas –*
The approximately 10 acres site is a conditional use within a single-family dwelling district and is surrounded by residences. The construction of a large industrial type structures may result in a design which is not compatible or cohesive with the nearby residences. The applicant provided the approximate size, location and height of the structures, through no building elevations were submitted. A majority of the proposed buildings/tanks onsite will be 12 feet in height or less. The 4 structures over 12 feet have a greater potential to adversely impact the neighborhood with incompatible massing. Three of the structures are located on the front of the site near the front yard setback while the fourth structure is located 170 from the property line at the southern portion of the site, but will be visible from the street. The applicant shall assure the street facing facades of the structures over 12 feet in height and are compatible with the adjacent residents by assuring compliance with standards for variation in massing, minimum wall articulation and roof treatments in OCMC Chapter 17.62.055.G, H and J. All of the structures will be subject to the material standards identified in OCMC 17.62.050.A.21.

The applicant proposed to meet the intent of the standard by installing landscaping between the structures adjacent to Thurman Street and the right-of-way to provide an attractively designed streetscape for pedestrians. The location of the landscape buffer was identified by the applicant but the quantities, species and size of the landscaping was not identified. The applicant indicated that “the landscaping plan would 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.” As the taller landscaping elements such as trees and large shrubs would provide more adequate mitigation by screening the fence from view and providing an appealing space for pedestrians, the applicant shall assure that the landscaping in the areas identified as “future landscaped areas” and the adjacent areas buffering the structures along Thurman in Exhibit 2 is identified on a landscaping plan 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.

- *Buildings approved through this process are intended to serve multiple tenants over the life of the building, and are not intended for a one-time occupant –*
Response: The site is intended for use by the South Fork Water Board and is not intended to be transferred for another use. The site does not have to be designed for multiple uses.
- *The standards encourage people to spend time in the area, which also provides safety though informal surveillance. –*
Response: The applicant has not proposed a use open to the public and thus a portion of the standards in the Site Plan and Design review process may not be applicable.

- *This section is intended to promote the design of an urban environment that is built to human scale by creating buildings and streets that are attractive to pedestrians, create a sense of enclosure, provide activity and interest at the intersection of the public and private spaces, while also accommodating vehicular movement". –*
- The approximately 10 acres site is a conditional use within a single-family dwelling district and is surrounded by residences. The construction of a large industrial type structures may result in a design which is not compatible or cohesive with the nearby residences. The applicant provided the approximate size, location and height of the structures, through no building elevations were submitted. A majority of the proposed buildings/tanks onsite will be 12 feet in height or less. The 4 structures over 12 feet have a greater potential to adversely impact the neighborhood with incompatible massing. Three of the structures are located on the front of the site near the front yard setback while the fourth structure is located 170 from the property line at the southern portion of the site, but will be visible from the street. The applicant shall assure the street facing facades of the structures over 12 feet in height and are compatible with the adjacent residents by assuring compliance with standards for variation in massing, minimum wall articulation and roof treatments in OCMC Chapter 17.62.055.G, H and J. All of the structures will be subject to the material standards identified in OCMC 17.62.050.A.21.

The applicant proposed to meet the intent of the standard by installing landscaping between the structures adjacent to Thurman Street and the right-of-way to provide an attractively designed streetscape for pedestrians. The location of the landscape buffer was identified by the applicant but the quantities, species and size of the landscaping was not identified. The applicant indicated that "the landscaping plan would 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." As the taller landscaping elements such as trees and large shrubs would provide more adequate mitigation by screening the fence from view and providing an appealing space for pedestrians, the applicant shall assure that the landscaping in the areas identified as "future landscaped areas" in Exhibit 2 is identified on a landscaping plan 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 applicant can satisfy this standard by complying with Conditions of Approval 3, 8, 9 and 18.**

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: Does not Comply. The applicant proposed multiple adjustments to the site including:

- Adjusting the fence height to allow a 6-foot tall fence along the front of the site.
- Adjusting materials standards to allow a chain link fence around the perimeter of the site.
- Adjusting the pedestrian accessway standards to not require any new or upgraded pedestrian accessways on the interior of the site.
- Adjusting the interior and perimeter parking lot landscaping standards to not require any new or upgraded interior parking lot landscaping.
- Adjusting the Institutional and Commercial building standards so that they are not applicable.
- Adjusting the Municipal Code to alter the sidewalk and street improvements.

As a whole, the list of adjustments would allow the applicant to install 16 new buildings or tanks totaling 58,770 square feet with 7,110 feet of pavement and a 5,300 square foot gravel access road with nearly no upgrades to the nonconforming site. If all of the adjustments are granted, the cumulative effect would be a site with nearly double the existing development and no upgrades or street improvements.

Chapter 17.58 of the Oregon City Municipal Code is intended to guide properties which were developed prior to the adoption of specific standards “in a new direction consistent with city policy, and, eventually, bring them into conformance”. Approval of all of the adjustments would allow the site to remain inconsistent with the current Oregon City Municipal Code. As the applicant has not demonstrated compliance with all of the approval criteria for the proposed adjustments, staff recommends only a portion of the adjustments are approved. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. **The applicant can satisfy this standard by complying with Condition of Approval 1.**

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 a individually designated historic structure. A portion of the site is within the Natural Resource Overlay District, though no development is proposed within the NROD area and thus would not affect the quality of the goal 5 resource onsite.

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

Finding: Complies with Condition. The massing of a large structure without any pedestrian oriented elements such as massing may be incompatible with the adjacent homes. Chapter 17.62.055 assures greater compatibility by requiring architectural interest, etc. The applicant shall demonstrate that the street facing facades of the structures over 12 feet in height are compatible with the adjacent residents by assuring compliance with standards for variation in massing, minimum wall articulation and roof treatments in OCMC Chapter 17.62.055.G, H and J. **The applicant can satisfy this standard by complying with Condition of Approval 9.**

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. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49). As no development is proposed within the NROD area, design standards for structures would not affect the condition of the NROD area.

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

Finding: Complies with Condition. The proposed adjustment will comply with the Comprehensive Plan if the street facing facades of the structures over 12 feet in height are not industrial in nature and are compatible with the adjacent residents by assuring compliance with standards for variation in massing, minimum wall articulation and roof treatments in OCMC Chapter 17.62.055.G, H and J. Implementation of the design standards in the Oregon City Municipal Code as proposed and conditioned will protect the character of the residential neighborhood.

Goal 2.4 Neighborhood Livability - *Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.*

The applicant can satisfy this standard by complying with Condition of Approval 9.

Oregon City Municipal Code Adjustment #6: Sidewalk and Street Improvements

The Oregon City Municipal Code and Transportation System Plan identifies street standards for all streets in Oregon City. The subject site abuts two local streets (Hunter and Thurman) as well as a collector (Swan Avenue). The charts below summarize the specific improvements required for the abutting right-of-way in order to be compliant with the street standards. The applicant proposed to adjust the street standards as identified below. Approval of this adjustment would result in the implementation of the improvements identified in the “Applicant Proposed Improvement” column below

during the 20 year span of the Master Plan. No other improvements would be required with this development.

| | |
|---------------------------------|---|
| | Hunter Avenue - Local |
| Existing Condition | Right-of-way: 40 feet Pavement: 9 to 9.5 feet half street (18-19 feet total) |
| OCMC Requirement | Right-of-way: 54 feet Pavement: 16 feet half street plus 10 feet Planter Strips: 5 foot or more Sidewalks: 5-foot Street trees |
| TSP Requirement | Right-of-way: 42-54 feet Pavement: 16-36 feet Required Elements for Half Street: <ul style="list-style-type: none"> • 1' Utility Strip • 5' Sidewalk • 5' Planter Strip with street trees • 2' Shy Distance (not required if adjacent parking lane provided) • 8' Travel Lane (16' shared bi-directional travel lane) Optional Elements for Half Street: <ul style="list-style-type: none"> • 8' Parking Lane |
| City Staff Proposed Improvement | <ul style="list-style-type: none"> • 16 feet of pavement on the applicant's side of centerline • 16-foot travel/parking lane, • Pavement of 10 feet on the opposite side of the centerline as necessary • Curb and gutter, • 5-foot-wide planter strip (including curb), • 5-foot sidewalk, • City utilities (water, sanitary sewer, and storm drainage facilities) and • Street trees. Dedication: <ul style="list-style-type: none"> • 2.5-foot strip on Tax Lots 100 and 2500 |
| Applicant Proposed Improvement | Add approximately 14 feet of pavement width for a total pavement width of 32 feet (no sidewalk) and corresponding dedication of land. |
| | Thurman Street - Local |
| Existing Condition | Right-of-way: 50.5 feet counting previous 7.5 feet dedication from SFWB Pavement: 26 feet half street Sidewalks: North side only |
| OCMC Requirement | Right-of-way: 54 feet Pavement: 16 feet half street plus 10 feet Planter Strips: 5 foot or more Sidewalks: 5-foot Street trees |
| TSP Requirement | Right-of-way: 42-54 feet Pavement: 16-36 feet Required Elements for Half Street: <ul style="list-style-type: none"> • 1' Utility Strip • 5' Sidewalk • 5' Planter Strip with street trees • 2' Shy Distance (not required if adjacent parking lane provided) |

| | |
|---------------------------------|---|
| | <ul style="list-style-type: none"> • 8' Travel Lane (16' shared bi-directional travel lane) Optional Elements for Half Street: <ul style="list-style-type: none"> • 8' Parking Lane |
| City Staff Proposed Improvement | <ul style="list-style-type: none"> • 16 feet of pavement on the applicant's side of centerline • Pavement of 10 feet on the opposite side of the centerline as necessary • 16-foot travel/parking lane, • Curb and gutter, • 5-foot sidewalk (including curb) and • City utilities (water, sanitary sewer, and storm drainage facilities) |
| Applicant Proposed Improvement | No changes. Full sidewalk on opposite side serves pedestrians. |
| Swan Avenue - Collector | |
| Existing Condition | Right-of-way: 27.5 feet on Tax Lot 2500 and 16.5 feet on Tax Lot 100 Pavement: 10 feet half street with varying widths -- 10-17 feet -- on the other side of centerline |
| OCMC Requirement | Right-of-way: 86 feet Pavement: 31 feet half street plus 10 feet Planter Strips: 5 foot or more Sidewalks: 6-foot Street trees |
| TSP Requirement | Right-of-way: 60-86 feet Pavement: 34-62 feet Required Elements for Half Street: <ul style="list-style-type: none"> • 1' utility Strip • 6' Sidewalk • 6' Bike Lane • 11' Travel Lane Optional Elements for Half Street: <ul style="list-style-type: none"> • 5' Planter Strip with street trees • 8' Parking Lane • 6' Turn Lane/Median (12' total) |
| City Staff Proposed Improvement | <ul style="list-style-type: none"> • 17 feet of pavement on the applicant's side of centerline • Pavement of 10 feet on the opposite side of the centerline as necessary, • 11-foot travel lane, • 6-foot bike lane, • Curb and gutter, • 5-foot-wide planter strip (including curb), • 6-foot-wide sidewalk behind the planter strip, • City utilities (water, sanitary sewer, and storm drainage facilities) and • Street trees. Dedication: <ul style="list-style-type: none"> • 0.5-foot strip on Tax Lot 2500 and a full 11.5-foot strip on Tax Lot 100. |
| Applicant Proposed Improvement | The applicant proposed to dedicate land and install public improvements along the abutting portion of Swan Avenue to comply with a collector street standard but did not identify the exact improvements. The improvements identified by staff may be equivalent to the improvements the applicant has proposed. |

Staff recommends the adjustment #4 be denied.

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

Finding: Does not Comply. The purpose of street improvements is to provide a safe and efficient transportation system for pedestrians, bicyclists and automobiles within the public right-of-way and accommodate appropriate capacity as needed. This is reiterated in the purpose of Site Plan and Design Review which “assure[s] that development is supported with necessary public facilities and services”. The subject site was originally constructed in 1958 and has since developed with 15 structures/tanks totaling approximately 113,115 square feet. The applicant has not been required to dedicate any land to the right-of-way or install any public improvements to date.

The applicant is concerned about the security risk associated with installing sidewalks adjacent to the water treatment facility. “Encouraging people and/or vehicles to be closer to the buildings and process equipment that treats water for a large population could be an unacceptable security risk” (Exhibit 2). The code is designed to provide safety and security of the pedestrians and employees walking in the public right-of-way adjacent to the site. In 2007, the applicant received approval of a Site Plan and Design Review and Conditional Use construct a fully enclosed, concrete water tank called a ‘clearwell’. The applicant dedicated approximately 8,000 square feet to the public right-of-way along Thurman and Swan prior to submittal of a Site Plan and Design Review and Conditional Use application in order to reduce the overall property size by approximately 8,000 square feet and intern avoid a Master plan which is required for Institutional development on a site over ten acres in size. By dedicating the land, the public is able to access closer to the site then previously able to do. In addition, the security risk would remain equivalent if the adjacent right-of-way is constructed with a sidewalk or remains in the natural state.

The site abuts three frontages, approximately 2,120 feet in length, none of which is constructed with a sidewalk on the applicant’s side of the street. In order to increase the safety of pedestrians adjacent to the site the applicant proposed to install sidewalks along Swan Avenue and widen the pavement along Hunter Avenue to provide a space for pedestrians to walk along the street pavement. No other sidewalks are proposed to be installed adjacent to the site during the 20 year Master Plan. The residential area surrounding the site is constructed with homes on large lots which were built when the area was within Clackamas County jurisdiction. Since the area was annexed into the City in 1989, some of the lots have since been subdivided and sidewalks were constructed along the frontages of the development. As the area around the subject site continues to develop, the installation of additional sidewalks around the site is expected as sidewalks comply with the Comprehensive Plan (goal 12.5 and policies 12.5.1, 12.5.2, 11.6.1 and 13.2.5) and are required in Chapters 12.04.10 and 17.62.050.A.8 of the Oregon City Municipal Code to provide connectivity and safety for pedestrians in the City. In order to comply with the Oregon City Municipal Code the applicant shall install sidewalks along all the frontages of the site prior to final of Detailed Development Plan Phase 3. Conditional uses in residential zoning designations are significantly more compatible with the permitted uses by providing the same public improvements (such as sidewalks) which will be required when the property around the site develops to city standards.

The site currently operates with a maximum operating capacity of 22 million gallons per day. The Master Plan includes the installation of 16 structures/tanks which will result in an increase in capacity of the facility to 40 million gallons per day. The doubling of capacity and installation of 16 additional structures/tanks results in a significant increase in the impact of the site, requiring compliance with sidewalks.

The applicant did not adequately indicate how granting the adjustment will equally or better meet the purpose of the regulation to be modified. The conditional approval of this application shall not include adjustment #6 for sidewalk and street improvements. **The applicant can satisfy this standard by complying with Condition of Approval 14.**

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: Does not Comply. The applicant proposed multiple adjustments to the site including:

- Adjusting the fence height to allow a 6-foot tall fence along the front of the site.
- Adjusting materials standards to allow a chain link fence around the perimeter of the site.
- Adjusting the pedestrian accessway standards to not require any new or upgraded pedestrian accessways on the interior of the site.
- Adjusting the interior and perimeter parking lot landscaping standards to not require any new or upgraded interior parking lot landscaping.
- Adjusting the Institutional and Commercial building standards so that they are not applicable.
- Adjusting the Municipal Code to alter the sidewalk and street improvements.

As a whole, the list of adjustments would allow the applicant to install 16 new buildings or tanks totaling 58,770 square feet with 7,110 feet of pavement and a 5,300 square foot gravel access road with nearly no upgrades to the nonconforming site. If all of the adjustments are granted, the cumulative effect would be a site with nearly double the existing development and no upgrades or street improvements. Chapter 17.58 of the Oregon City Municipal Code is intended to guide properties which were developed prior to the adoption of specific standards “in a new direction consistent with city policy, and, eventually, bring them into conformance”. Approval of all of the adjustments would allow the site to remain inconsistent with the current Oregon City Municipal Code. As the applicant has not demonstrated compliance with all of the approval criteria for the proposed adjustments, staff recommends only a portion of the adjustments are approved. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. **The applicant can satisfy this standard by complying with Condition of Approval 1.**

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

Finding: Complies as Proposed. The southeast area of the project site is located within the Natural Resources Overlay District and a portion of the standard street improvements would occur within the mapped resource. If any development within the Natural Resource Overlay District is required or conditioned, a review of the NROD area would be performed during the Detailed Development Plan approval. The nearest mapped wetland and stream do not extend onto the subject site and thus the impact of any proposed improvements will likely be limited if at all.

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

Finding: Does not Comply. The applicant proposed an adjustment to install fewer public improvements than required by the Oregon City Municipal Code. Approval of the adjustment would result in a street design which does not comply with City standards. The applicant has not proposed any mitigation. The conditional approval of this application shall not include adjustment #6 for sidewalk and street improvements. **The applicant can satisfy this standard by complying with Condition of Approval 14.**

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. The southeast area of the project site is located within the Natural Resources Overlay District and a portion of the standard street improvements would occur within the mapped resource. If any development within the Natural Resource Overlay District is required or conditioned, a thorough review of the NROD area would be performed during the Detailed Development Plan approval. The nearest mapped wetland and stream do not extend onto the subject site and thus the impact of any proposed improvements will likely be limited if at all.

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

Finding: Does not Comply. The proposed adjustment does not comply with the following goals and policies of the Comprehensive Plan nor does it comply with the intent of the Oregon City Municipal Code to provide a safe and efficient transportation system.

Goal 12.5 Safety - Develop and maintain a transportation system that is safe.

Policy 12.5.1 - Identify improvements that are needed to increase the safety of the transportation system for all users.

Policy 12.5.2 - Identify and implement ways to minimize conflict points between different modes of travel.

Policy 11.6.1 - Make investments to accommodate multi-modal traffic as much as possible to include bike lanes, bus turnouts and shelters, sidewalks, etc., especially on major and minor arterial roads, and in regional and employment centers.

Policy 13.2.5 - Construct bikeways and sidewalks, and require connectivity of these facilities to reduce the use of petroleum-fueled transportation.

The conditional approval of this application shall not include adjustment #6 for sidewalk and street improvements. **The applicant can satisfy this standard by complying with Condition of Approval 14.**

CHAPTER 17.56 CONDITIONAL USES

17.56.010 Permit--Authorization--Standards--Conditions.

The planning commission may allow a conditional use, provided that the applicant provides evidence substantiating that all the requirements of this title relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

17.56.010.A.1. *The use is listed as a conditional use in the underlying district;*

Finding: Complies as Proposed. The subject site is within the “R-10” Single-Family Dwelling District zoning designation which identifies public utilities, including sub-stations (such as buildings, plants and other structures) as a conditional use in 17.08.030.H of the Oregon City Municipal Code (OCMC). The use of the site as a water utility site would continue with this proposal.

17.56.010.A.2. *The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;*

Finding: Please refer to the analysis in 17.65.050.B.1.f of this report.

17.56.010.A.3. *The site and proposed development are timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use;*

Finding: Please refer to the analysis in 17.65.050.C.2 of this report.

17.56.010.A.4. *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;*

Finding: Please refer to the analysis in 17.65.050.B.1.f of this report.

17.56.010.A.5. *The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use. The applicable Comprehensive Plan policies are as follows:*

Goal 1.1 Citizen Involvement Program - Implement a Citizen Involvement Program that will provide an active and systematic process for citizen participation in all phases of the land-use decision-making process to enable citizens to consider and act upon a broad range of issues affecting the livability, community sustainability, and quality of neighborhoods and the community as a whole.

Response: South Fork Water Board is using the City’s process for citizen involvement in land use decisions, and has met with the neighborhood in advance of submitting the application.

Goal 2.1 Efficient Use of Land – Ensure that property planned for residential, commercial, office, and industrial uses is used efficiently and that land is developed following principles of sustainable development.

Response: The proposal will expand infrastructure capacity by increasing the amount of development on the subject site.

Goal 11.1 Provision of Public Facilities – Serve the health, safety, education, welfare, and recreational needs of all Oregon City residents through the planning and provision of adequate public facilities.

Response: The proposal will assist South Fork Water Board in providing water to Oregon City.

Goal 11.3 Water Distribution - Seek the most efficient and economic means available for constructing, operating, and maintaining the City's water distribution system while protecting the environment and meeting state and federal standards for potable water systems.

Response: The proposal will increase the efficiency and safety of the water distribution system, while meeting all state and federal standards.

Policy 11.3.2 Collaborate with the South Fork Water Board to ensure that an adequate water supply system is maintained for residents. Coordinate with the South Fork Water Board, the City of West Linn, and Clackamas River Water to ensure that there is adequate regional storage capacity. –

Response: The proposal will increase regional water treatment capacity and will improve the ability of South Fork Water Board to meet the increasing need of its customers.

17.56.010.B. *Permits for conditional uses shall stipulate restrictions or conditions which may include, but are not limited to, a definite time limit to meet such conditions, provisions for a front, side or rear yard greater than the minimum dimensional standards of the zoning ordinance, suitable landscaping, off-street parking, and any other reasonable restriction, condition or safeguard that would uphold the spirit and intent of the zoning ordinance, and mitigate adverse effect upon the neighborhood properties by reason of the use, extension, construction or alteration allowed as set forth in the findings of the planning commission.*

Finding: Complies with Condition. The applicant has not requested any restriction, condition or safeguard beyond what is normally required by the city to uphold the spirit and intent of the zoning ordinance and mitigate adverse effect upon neighborhood properties. The applicant shall construct this development as proposed with the attached conditions of approval. The Community Development Director may approve minor modifications as deemed necessary. **The applicant can meet this standard by complying with condition of approval 1.**

17.56.010.C. *Any conditional use shall meet the dimensional standards of the zone in which it is to be located pursuant to subsection B of this section unless otherwise indicated, as well as the minimum conditions listed below.*

Finding: Not Applicable. The applicant has not proposed any structures at this time. All future structures shall be reviewed in the Detailed Development Plan process.

17.56.010.D. *In the case of a use existing prior to the effective date of the ordinance codified in this title and classified in this title as a conditional use, any change of use, expansion of lot area or expansion of structure shall conform with the requirements for conditional use.*

Finding: Complies as Proposed. The site has been previously approved for multiple projects since the utility was constructed in 1958. The applicant has proposed to update the existing conditional use to expand the capacity of the facility. All future expansions of this approval shall be heard by the Planning Commission as required.

17.56.010.E. *The planning commission may specifically permit, upon approval of a conditional use, further expansion to a specified maximum designated by the planning commission without the need to return for additional review.*

Finding: Complies with Condition. The applicant requested any improvements to Swan which enact the Natural Resource Overlay District be processed as a Type II application. As details regarding the improvement and the Natural Resource Overlay District have not been provided by the applicant staff suggests processing the improvements to Swan as directed by the Oregon City Municipal Code. **The applicant can meet this standard by complying with condition of approval 15.**

17.56.020 - Permit—Application.

Finding: Complies as Proposed. The property owner initiated this Conditional Use application which will be reviewed by the Planning Commission.

17.56.025 - Minor modifications to legal conditional uses.

Finding: Not Applicable. The applicant did not propose a minor modification to a legal conditional use.

17.56.040.A Building Openings. The city may limit or prohibit building openings within fifty feet of residential property in a residential zone if the openings will cause glare, excessive noise or excessive traffic which would adversely affect adjacent residential property as set forth in the findings of the planning commission.

Finding: Not Applicable. The subject site is developed with public right-of-way on three sides of the site and single-family residential to the south. The applicant has concentrated a majority of the development to the northern and western portions of the site to provide a buffer from all adjacent properties. The applicant is not required to limit or prohibit building openings within 50 feet of residential property.

17.56.040.B Additional Street Right-of-Way. The dedication of additional right-of-way may be required where the city plan indicates need for increased width and where the street is inadequate for its use; or where the nature of the proposed development warrants increased street width.

Finding: Please refer to the analysis in 17.65.050.C.2 of this report.

17.56.040.C *Public Utility or Communication Facility. Such facilities as a utility substation, water storage tank, radio or television transmitter, tower, tank, power transformer, pumping station and similar structures shall be located, designed and installed with suitable regard for aesthetic values. The base of these facilities shall not be located closer to the property line than a distance equal to the height of the structure. Hydroelectric generation facilities shall not exceed ninety megawatts of generation capacity.*

Finding: Complies with Condition. The subject site is developed with a utility for the South Fork Water Board. This section requires the base of these facilities shall not be located closer to the property line than a distance equal to the height of the structure. The applicant indicated compliance with this standard. As the exact location of the buildings may shift minimally, the applicant shall insure that the base of all new proposed structures shall not be located closer to the property line than a distance equal to the height of the structure. **The applicant can meet this standard by complying with condition of approval 16.**

17.56.040.D *Schools.*

Finding: Not Applicable. The applicant did not propose a school.

17.56.040.E *Helipad Landing Facility*

Finding: Not Applicable. The applicant has not proposed a helipad landing facility.

17.56.040.F *Residential Care Facilities.*

Finding: Not Applicable. The applicant has not proposed a residential care facility.

17.56.040.G Bed and Breakfast Inns.

Finding: Not Applicable. The applicant did not propose a bed and breakfast inn.

17.56.060 Revocation of conditional use permits.

Finding: Not Applicable. No previous conditional use permit is being revoked with this application.

17.56.070 Periodic review of conditional use permits.

Finding: Not Applicable. The site has not been identified as needing a periodic review.

CHAPTER 17.49 NATURAL RESOURCE OVERLAY DISTRICT

Findings: Complies with Condition. Development shall be reviewed for compliance with the Natural Resource Overlay District in OCMC 17.49 during the Detailed Development Plan applications. **The applicant can meet this standard by complying with condition of approval 10.**

CHAPTER 17.44 – GEOLOGIC HAZARDS:

Finding: Complies with Condition. Development shall be reviewed for compliance with the Geologic Hazards Overlay District in OCMC 17.44 during the Detailed Development Plan applications. **The applicant can meet this standard by complying with condition of approval 11.**

CHAPTER 17.41 TREE PROTECTION STANDARDS

Finding: Complies with Condition. Development shall be reviewed for compliance with the Tree Protection Standards in OCMC 17.41 during the Detailed Development Plan applications. **The applicant can meet this standard by complying with condition of approval 17.**

CHAPTER 17.52 OFF –STREET PARKING AND LOADING

Finding: Complies with Condition. The use of the site is as a water treatment facility or public utility. OCMC 17.52.020 identifies the appropriate parking ratio for specific uses, though a standard is not identified for a water treatment facility or a public utility. The applicant submitted parking standards for the cities of Portland and Tigard, as well as the Oregon Department of Land Conservation and Development's (DLCD) "Model Code" for Oregon cities (Exhibit 7). In all three cases neither a minimum nor a maximum parking requirement is identified for basic utilities. Since the use of the site is not identified in OCMC 17.52.020 nor is a similar use identified with parking standards, the applicant has requested the City replicate Tigard and Portland as well as DLCD's Model Code and not apply a minimum or maximum parking standard to the site. As the applicant has provided the maximum size of the parking lot in the Master Plan, staff recommends the Planning Commission accept this interpretation request.

A preliminary review of the site reveals that it is likely not in compliance with the following:

- Number of automobile spaces required (OCMC 17.52.020);
- Standards for automobile parking (OCMC 17.52.030);
- Bicycle parking standards(OCMC 17.52.040); and
- Parking lot landscaping (including development standards including perimeter parking Lot landscaping and parking lot entryway/right-of-way screening, parking area/building buffer and interior parking lot landscaping(OCMC 17.52.060).

In addition to installing 2 bicycle parking stalls, the applicant requested a proposed adjustment to the interior and perimeter parking lot landscaping standards. Staff recommends denying the proposed adjustment and requiring the applicant incrementally demonstrate compliance with each standard in conjunction with each phase of the Master Plan. Upgrades to the nonconforming site are required in accordance with OCMC 17.58 Nonconforming Uses, Structures and Lots. The applicant shall submit

documentation demonstrating compliance with the standards in OCMC 17.52 as described below or receive an adjustment or Variance for the following:

Phase 1 – The applicant shall demonstrate the site is compliant with the number of automobile spaces required and standards for automobile parking in OCMC 17.52.020 and 17.52.030 prior to final of the Detailed Development Plan Phase 1.

Phase 2 – The applicant shall demonstrate the site is compliant with bicycle parking in OCMC 17.52.040 prior to final of the Detailed Development Plan Phase 2.

Phase 3 – The applicant shall demonstrate the site is compliant with parking lot landscaping in OCMC 17.52.060 and all other sections of OCMC 17.52 prior to final of the Detailed Development Plan Phase 3.

The applicant may demonstrate compliance with any section of OCMC Chapter 17.52 prior to the phase indicated above. The applicant shall additionally note that the proposed gravel access road is required to be paved per OCMC Chapter 17.52.030.B. **The applicant can meet this standard by complying with condition of approval 2.**

CHAPTER 17.62 SITE PLAN AND DESIGN REVIEW

Finding: Complies with Condition. The applicant did not provide a response for each section of this chapter. A preliminary review of the site reveals that the applicant may not be in compliance with the following:

- Sidewalks and curbs 17.62.050.A.8
- Pedestrian accessways 17.62.050.A.9
- Design stands for institutional structures 17.62.055
- Building materials 17.62.050.A.21
- Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the city's transportation master plan and design standards and this title 17.62.050.A.15
- Outdoor lighting in 17.62.065

The proposed Master Plan included limited street improvements and dedication as well as a series of adjustments for the remaining street improvements, design standards for institutional structures and a building material. Staff recommended approving a majority of the requests. The applicant shall incrementally demonstrate compliance with each standard in conjunction with each phase of the Master Plan. Upgrades to the nonconforming site are additionally required in accordance with OCMC 17.58 Nonconforming Uses, Structures and Lots. The applicant shall submit documentation demonstrating compliance with the standards in OCMC 17.62 as described below or receive an adjustment or Variance for the following:

Phase 1 – The applicant shall demonstrate the site is compliant with design standards, building materials and outdoor lighting in OCMC 17.62.055, 17.62.050.A.21 and 17.62.065 prior to final of the Detailed Development Plan Phase 1.

Phase 2 – The applicant shall demonstrate the site is compliant with pedestrian accessways, refuse and recycling standards and screening of mechanical equipment in 17.62.050.A.9, 17.62.050.A.20 and 17.62.085 prior to final of the Detailed Development Plan Phase 2.

Phase 3 – the applicant shall demonstrate the site is compliant with street improvements and dedication in OCMC 17.62.050.A.8 and 17.62.050.A.15 prior to final of the Detailed Development Plan Phase 3. **The applicant can meet this standard by complying with condition of approval 18.**

Chapter 12.04 STREETS, SIDEWALKS AND PUBLIC PLACES

Finding: Complies with Condition. The applicant did not provide a response for each section of this chapter. A preliminary review of the site reveals that the applicant is not in compliance with the criteria identified within OCMC Chapter 12.04. The applicant proposed to install public improvements in Phase 3 of the development. The applicant shall demonstrate compliance with each criterion in OCMC Chapter 12.04 prior to final of Phase 3 of development. **The applicant can meet this standard by complying with condition of approval 19.**

Chapter 12.08 PUBLIC AND STREET TREES

Finding: Complies with Condition. The applicant did not provide a response for each section of this chapter. A preliminary review of the site reveals that the applicant may not be in compliance with the criteria identified within OCMC Chapter 12.08. The applicant proposed to install public improvements in phase 3 of the development. The applicant shall demonstrate compliance with each criterion in OCMC Chapter 12.08 prior to final of Phase 3 of development. **The applicant can meet this standard by complying with condition of approval 20.**

CHAPTER 17.54 SUPPLEMENTAL ZONING REGULATIONS AND EXCEPTIONS

Finding: Complies as Proposed. The applicant requested an adjustment to the fence height provided in OCMC 17.54.100 which is analyzed within the Master Plan section of this report.

Note OCMC 17.54.100.A.4 states “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”. The subject site currently has three strands of barbed wire atop a 6-foot chain link fence surrounding the site. The applicant would like to continue use of the barbed wire throughout the Master Plan time period. Since the barbed wire has been on the site for a significant period of time, staff recommends the Planning Commission recommend to the City Manager that the barbed wire atop the 6-foot tall fence surrounding the site be determined appropriate.

CHAPTER 17.58 NONCONFORMING USES, STRUCTURES AND LOTS

Finding: Complies with Condition. The site was constructed prior to adoption of the current standards in the Oregon City Municipal Code and does not comply with pedestrian accessway, parking lot landscaping standards, etc. OCMC Chapter 17.58.040.C.2.a requires upgrades to nonconforming portions of the site for additions and exterior alterations more than \$75,000. The applicant indicated that the installation of 16 new buildings or tanks totaling 58,770 square feet and 7,110 feet of pavement as well as a 5,300 square foot gravel access road would cost approximately \$40 million. The installation of all the structures associated with the Master Plan will exceed the minimum threshold of \$75,000, requiring compliance with this chapter by upgrading the pedestrian circulation system, perimeter parking lot landscaping, interior parking lot landscaping, site landscaping requirements, bicycle parking, screening and paving of surface parking and exterior storage and display areas. If the applicant receives an adjustment to any of the requirements, compliance is not required. Prior to issuance of a permit for Phase 1 of the Detailed Development Plan, the applicant shall submit a phasing plan demonstrating compliance with OCMC 17.58.040.C prior to completion of phase 3 of the Detailed Development Plan. **The applicant can meet this standard by complying with condition of approval 21.**

CONCLUSION AND DECISION:

Based on the analysis and findings as described above, Staff concludes that the proposed General (Concept) Plan (CP 10-03) and Conditional Use (CU 10-03) applications for the property located at Clackamas County Map 2-2E-21CD-02500 and 2-2E-28BB-00100 can meet the requirements of the Oregon City Municipal Code as proposed by the applicant or by complying with the Conditions of

Approval provided in this report. Therefore, the Community Development Director recommends the Planning Commission approve files CP 10-03 and CU 10-03 with conditions, based upon the findings and exhibits contained in this staff report.

EXHIBITS:

1. Vicinity Map
2. Applicant's Narrative and Site Plan and Supplemental Dated February 4, 2011 (On-File)
3. Comments Submitted by John Replinger, Replinger and Associates
4. Engineering Policy 00-01 (On-File)
5. Comments submitted by Stephen VanHaverbeke of the Park place Neighborhood Association
6. Comments submitted by John Lewis, Public Works Operations Manager
7. Additional Information Submitted by the Applicant Dated March 3, 2011

RECOMMENDED CONDITIONS OF APPROVAL

CP 10-03: Concept (General) Development Plan and CU 10-03: Conditional Use

1. The applicant shall construct this development as proposed in this application and as required by the attached conditions of approval. *(P)*
2. Prior to the issuance of a permit in Detailed Development Plan Phase 1, the applicant shall submit documentation demonstrating compliance, or an approved Adjustment or Variance, with the following standards in OCMC 17.52:
 - Phase 1 – The applicant shall demonstrate the site is compliant with the number of automobile spaces required and standards for automobile parking in OCMC 17.52.020 and 17.52.030 prior to final of the Detailed Development Plan Phase 1.
 - Phase 2 – The applicant shall demonstrate the site is compliant with bicycle parking in OCMC 17.52.040 prior to final of the Detailed Development Plan Phase 2.
 - Phase 3 – The applicant shall demonstrate the site is compliant with parking lot landscaping in OCMC 17.52.060 and all other sections of OCMC 17.52 prior to final of the Detailed Development Plan Phase 3. *(P)*
3. Prior to issuance of the Detailed Development Plan Phase 1 the applicant shall submit a phasing plan of the following improvements which are to be completed prior to final of Phase 3 Detailed Development Plan.

Swan Avenue –The Transportation System Plan requires the applicant's side of the centerline be improved to include, but is not to be limited to, base rock, half-street pavement width of 17 feet on the applicant's side of the centerline and 10 feet on the opposite side of the centerline as necessary based on a pavement analysis at the time of future Detailed Development Plan review. The improvements on the applicant's side of the centerline consist of an 11-foot travel lane, 6-foot bike lane, curb and gutter, 5-foot-wide planter strip (including curb), 6-foot-wide sidewalk behind the planter strip, City utilities (water, sanitary sewer, and storm drainage facilities) and street trees. The applicant shall dedicate an additional 0.5-foot strip on Tax Lot 2500 and a full 11.5-foot strip on Tax Lot 100.

Thurman Street – The Transportation System Plan requires the applicant's side of the centerline be improved to include, but is not to be limited to, base rock, half-street pavement width of 16 feet on the applicant's side of the centerline and 10 feet on the opposite side of the centerline as necessary. The improvements on the applicant's side of the centerline consist of a 16-foot travel/parking lane, curb and gutter, 5-foot-wide sidewalk (including curb) and City utilities (water, sanitary sewer, and storm drainage facilities).

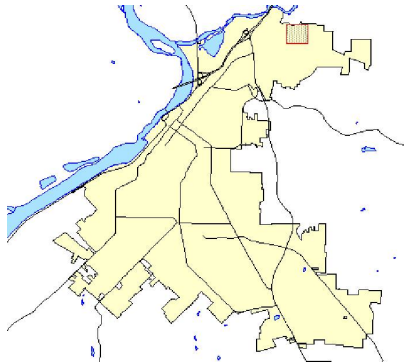
Hunter Avenue –The Transportation System Plan requires the applicant's side of the centerline be improved to include, but is not limited to, base rock, half-street pavement width of 16 feet on the applicant's side of the centerline and 10 feet on the opposite side of the centerline as necessary. The improvements on the applicant's side of the centerline consist of a 16-foot travel/parking lane, curb and gutter, 5-foot-wide planter strip (including curb), 5-foot sidewalk, City utilities (water, sanitary sewer, and storm drainage facilities) and street trees. The applicant shall dedicate an additional 2.5-foot strip on Tax Lots 100 and 2500. *(DS)*

4. The applicant is responsible for this project's compliance with Engineering Policy 00-01. *(DS)*
5. Detailed Development Plans submittals shall include all public utilities in the streets including the new stormwater facilities and the applicant shall provide stormwater facilities as necessary for street improvements. *(DS)*
6. Detailed Development Plan submittals shall provide connection to new/existing sanitary sewer for new facilities as required by plumbing code. *(DS)*

7. Detailed Development Plan submittals shall provide site analysis to determine what if any stormwater detention and water quality are required by the current code and implement appropriate Low Impact Design efforts. *(DS)*
8. The applicant shall assure that the landscaping in the areas identified “future landscaped areas” and the adjacent areas buffering the structures along Thurman in Exhibit 2 are identified on a landscaping plan 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 and screen 50 percent of the structures identified as A and J on figure 4 of Exhibit 2 at full maturity. 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 applicant shall assure the landscaping is installed prior to final of the Detailed Development Plan associated with buildings A and J. *(P)*
9. The applicant shall demonstrate that the street facing facades of the structures over 12 feet comply with the standards for variation in massing, minimum wall articulation and roof treatments in OCMC Chapter 17.62.055.G, H and J. *(P)*
10. Development shall be reviewed for compliance with the Natural Resource Overlay District in OCMC 17.49 during the Detailed Development Plan applications. *(P)*
11. Development shall be reviewed for compliance with the Geologic Hazards Overlay District in OCMC 17.44 during the Detailed Development Plan applications. *(P and DS)*
12. When sections of the existing chain link fencing are removed the applicant shall replace with black vinyl or power coated fencing. *(P)*
13. The conditional approval of this application shall not include adjustment #4 for parking lot landscaping.
14. The conditional approval of this application shall not include adjustment #6 for sidewalk and street improvements.
15. The Natural Resource Overlay District permit shall be processed as an application type directed by the Oregon City Municipal Code. *(P)*
16. The applicant shall demonstrate that the base of all new structures shall not be located closer to the property line than a distance equal to the height of the structure. *(P)*
17. Development shall be reviewed for compliance with the Tree Protection Standards in OCMC 17.41 during the Detailed Development Plan applications. *(P)*
18. Prior to the issuance of a permit in Detailed Development Plan Phase 1, the applicant shall submit documentation demonstrating compliance, or an approved Adjustment or Variance, with the following standards in OCMC 17.62:
 - Phase 1 – The applicant shall demonstrate the site is compliant with design standards, building materials and outdoor lighting (17.62.055, 17.62.050.A.21 and 17.62.065) prior to final of the Detailed Development Plan Phase 1.
 - Phase 2 – The applicant shall demonstrate the site is compliant with pedestrian accessways, refuse and recycling standards and screening of mechanical equipment in 17.62.050.A.9, 17.62.050.A.20 and 17.62.085 prior to final of the Detailed Development Plan Phase 2.
 - Phase 3 – the applicant shall demonstrate the site is compliant with street improvements and dedication in OCMC 17.62.050.A.8 and 17.62.050.A.15 prior to final of the Detailed Development Plan Phase 3.
19. The applicant shall demonstrate compliance with each criterion in OCMC Chapter 12.04 prior to final of Phase 3 of development. *(P)*
20. The applicant shall demonstrate compliance with each criterion in OCMC Chapter 12.08 prior to final of Phase 3 of development. *(P)*
21. Prior to issuance of a permit for Phase 1 of the Detailed Development Plan, the applicant shall submit a phasing plan demonstrating compliance with OCMC 17.58.040.C prior to completion of Phase 3 of the Detailed Development Plan. *(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.

CP 10-03 and CU 10-03



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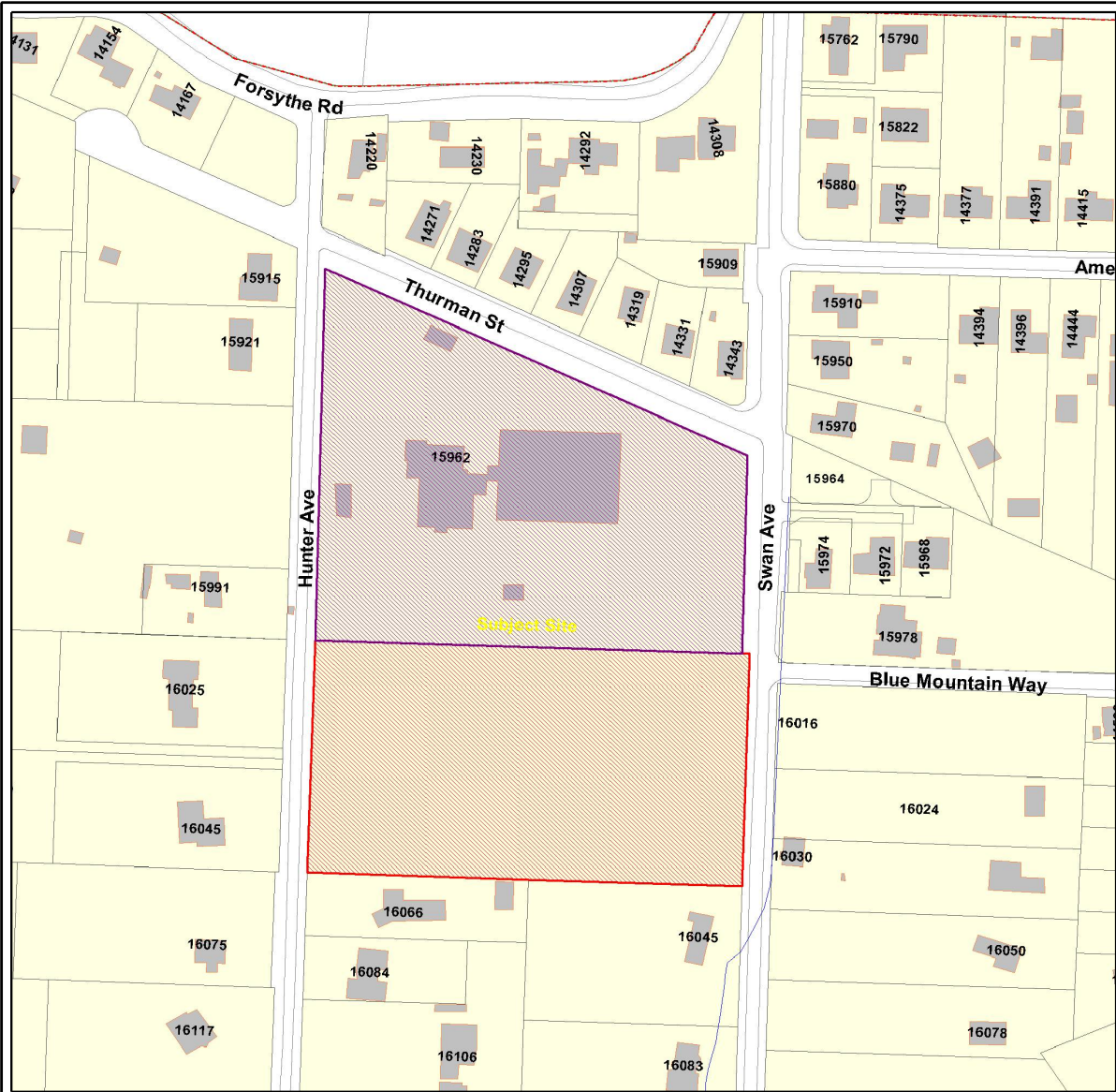


City of Oregon City
P.O. Box 3040
625 Center St
Oregon City, OR 97045
(503) 657-0891
www.oregocity.org

This map is not suitable for survey, engineering, legal, or navigation purposes. Errors and omissions may exist.

Map created with OCMap 2010

10/21/2010





CITY OF OREGON CITY LAND USE APPLICATION



City of Oregon City, Community Development Department, 221 Molalla Ave., Ste. 200, P.O. Box 3040, Oregon City, OR 97045, (503) 722-3789

| | | |
|--|--|---|
| Type I (OCMC 17.50.030.A) <input type="checkbox"/> Compatibility Review <input type="checkbox"/> Nonconforming Use review <input type="checkbox"/> Water Resources Exemption | Type II (OCMC 17.50.030.B) <input type="checkbox"/> Extension <input type="checkbox"/> Detailed Development Review <input type="checkbox"/> Geotechnical Hazards <input type="checkbox"/> Minor Partition <input type="checkbox"/> Minor Site Plan & Design Review <input type="checkbox"/> Nonconforming Use Review <input type="checkbox"/> Site Plan and Design Review <input type="checkbox"/> Subdivision <input type="checkbox"/> Minor Variance <input type="checkbox"/> Water Resource Review | Type III / IV (OCMC 17.50.030.C) <input type="checkbox"/> Annexation <input type="checkbox"/> Code Interpretation / Similar Use <input checked="" type="checkbox"/> Concept Development Plan <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Comprehensive Plan Amendment (Text/Map) <input type="checkbox"/> Detailed Development Plan <input type="checkbox"/> Historic Review <input type="checkbox"/> Oregon City Municipal Code Amendment <input type="checkbox"/> Variance <input type="checkbox"/> Zone Change |
|--|--|---|

Application Number: _____

Proposed Land Use or Activity: Expansion of existing water treatment facility
and associated appurtenances.

Project Name: SFWB Master Plan Number of Lots Proposed (If Applicable): 0

Physical Address of Site: 15962 S. Hunter Avenue

Clackamas County Map and Tax Lot Number(s): 2-2E-21CD-02500 and 2-2E-28BB-00100

Applicant(s): [Signature]

Applicant(s) Signature: [Signature]

Applicant(s) Name Printed: John Collins, South Fork Water Board Date: 9-8-2010

Mailing Address: 15962 S. Hunter Avenue, Oregon City, OR 97045

Phone: (503) 657-5030 Fax: (503) 656-9336 Email: johnc@sfwb.org

Property Owner(s): _____

Property Owner(s) Signature: _____

Property Owner(s) Name Printed: _____ Date: _____

Mailing Address: _____

Phone: _____ Fax: _____ Email: _____

Representative(s): [Signature]

Representative(s) Signature: [Signature]

Representative (s) Name Printed: Ben Schonberger Date: 9/7/2010

Mailing Address: 310 SW Fourth Avenue, Suite #1100, Portland, OR 97204

Phone: (503) 827-4422 Fax: (503) 827-4350 Email: ben@winterbrookplanning.com

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

www.oregoncity.org



CITY OF OREGON CITY LAND USE APPLICATION



City of Oregon City, Community Development Department, 221 Molalla Ave., Ste. 200, P.O. Box 3040, Oregon City, OR 97045, (503) 722-3789

Type I (OCMC 17.50.030.A)

- ☐ Compatibility Review
- ☐ Nonconforming Use review
- ☐ Water Resources Exemption

Type II (OCMC 17.50.030.B)

- ☐ Extension
- ☐ Detailed Development Review
- ☐ Geotechnical Hazards
- ☐ Minor Partition
- ☐ Minor Site Plan & Design Review
- ☐ Nonconforming Use Review
- ☐ Site Plan and Design Review
- ☐ Subdivision
- ☐ Minor Variance
- ☐ Water Resource Review

Type III / IV (OCMC 17.50.030.C)

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

Application Number: CP 10-03, CU 10-03

Proposed Land Use or Activity: Expansion of existing water treatment facility
and associated appurtenances.

Project Name: SFWB Master Plan Number of Lots Proposed (If Applicable): 0

Physical Address of Site: 15962 S. Hunter Avenue

Clackamas County Map and Tax Lot Number(s): 2-2E-21CD-02500 and 2-2E-28BB-00100

Applicant(s):

Applicant(s) Signature: _____

Applicant(s) Name Printed: John Collins, South Fork Water Board Date: _____

Mailing Address: 15962 S. Hunter Avenue, Oregon City, OR 97045

Phone: (503) 657-5030 Fax: (503) 656-9336 Email: johnc@sfbw.org

Property Owner(s):

Property Owner(s) Signature: John Collins

Property Owner(s) Name Printed: John Collins Date: 9-8-2010

Mailing Address: 15962 S Hunter Ave

Phone: 503-657-6541 Fax: 503-656-9336 Email: JohnC@SFWB.org

Representative(s):

Representative(s) Signature: Ben Schonberger

Representative (s) Name Printed: Ben Schonberger Date: 9/7/2010

Mailing Address: 310 SW Fourth Avenue, Suite #1100, Portland, OR 97204

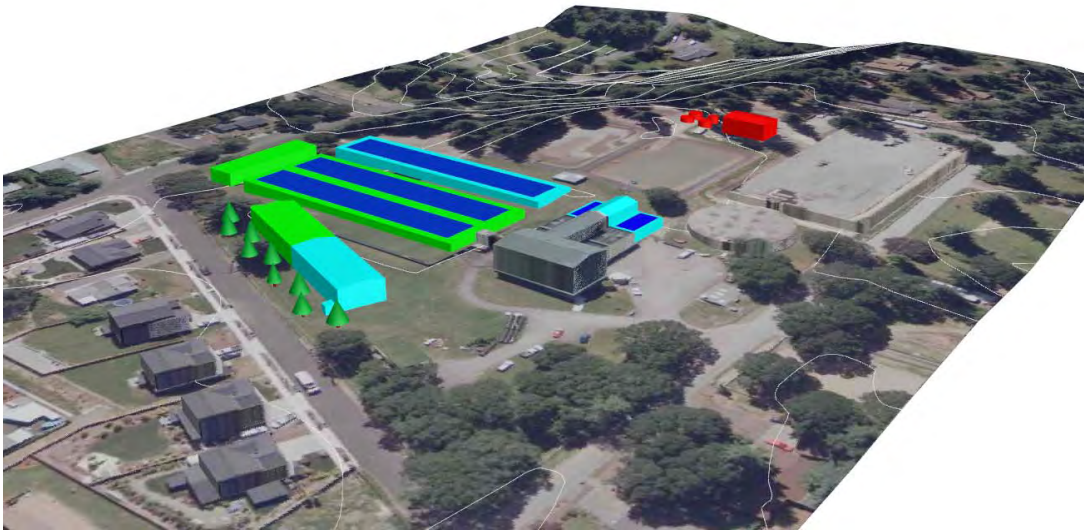
Phone: (503) 827-4422 Fax: (503) 827-4350 Email: ben@winterbrookplanning.com

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

www.oregoncity.gov

Application for a Concept Master Plan and Conditional Use

South Fork Water Board Water Treatment Plant



Prepared for the:
South Fork Water Board

Prepared by:
Winterbrook Planning
310 SW Fourth Avenue, Suite 1100
Portland, Oregon 97204

In collaboration with:
MWHAmericas, Inc.

SEPTEMBER 8, 2010

General Information

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Site Address: 15962 South Hunter Avenue

Tax Number: 2-2E-21CD-02500 and 2-2E-28BB-00100

Site Acres: Slightly under 10 acres

Zoning: Residential 10,000 (R-10)

Comprehensive Plan: Residential – Low Density

Neighborhood Assoc.: Park Place

Application: Conditional Use / Concept Master Plan

Procedure Type: Type III

Pre-Application No.: 10-06 (Date of Meeting: March 30, 2010)

Proposal Summary: South Fork Water Board requests approval of a Conditional Use and Concept Master Plan to upgrade an existing water treatment facility. The proposed development will increase plant capacity from 22 million gallons per day (“mgd”) to 40 mgd and update outdated technology.

Table of Contents

| | |
|--|-----------|
| SECTION 1: PROJECT NARRATIVE..... | 1 |
| 1. Existing Conditions (2010) | 1 |
| 2. Proposed Master Plan (2010-2030) | 6 |
| 3. Development Impacts and Mitigation | 12 |
| SECTION 2: FINDINGS..... | 16 |
| 1. Master Plan Requirements & Approval Criteria (Chapter 17.65)..... | 16 |
| 2. Conditional Use Approval Criteria and Standards (Chapter 17.56) | 22 |
| 3. R-10 Development Standards (Subsection 17.80.040)..... | 27 |
| 4. Tree Protection Standards (Chapter 17.41)..... | 28 |
| 5. Geologic Hazards Overlay District (Chapter 17.44) | 28 |
| 6. Natural Resource Overlay District (Chapter 17.49) | 29 |
| 7. Parking Requirements (Chapter 17.52) | 29 |
| 8. Conclusion | 31 |

List of Images

| | |
|---|----|
| Image 1: Oregon City Zoning Map..... | 1 |
| Image 2: Aerial View of the Project Site, 2009..... | 2 |
| Image 3: Slope Map..... | 3 |
| Image 4: Oregon City Natural Resources Overlay District (NROD) Map..... | 4 |
| Image 5: View of the site from Thurman (left), Hunter (center) and Swan (right) | 12 |

List of Tables

| | |
|---|----|
| Table 1: Inventory of Existing Above-ground Structures | 4 |
| Table 2: Master Plan Development Phases (2010-2030)..... | 8 |
| Table 3: Summary of Proposed New Above-ground/ At-Grade Structures | 9 |
| Table 4: Trip Generation from Additional “Chemical-Based” Truck Deliveries..... | 14 |
| Table 5: Concept Development Plan Components Required by Subsection 17.65.50..... | 16 |
| Table 6: Development Impacts and Mitigation | 21 |

List of Appendices

| |
|---|
| Appendix A Pre-application Notes |
| Appendix B Neighborhood Association Meeting Summary |

List of Site Plans

| | |
|----------|-----------------------------------|
| Figure 1 | Vicinity Map |
| Figure 2 | Aerial Photo |
| Figure 3 | Existing Conditions Plan |
| Figure 4 | Proposed Concept Development Plan |
| Figure 5 | Landscaped Area Plan |

SECTION 1: PROJECT NARRATIVE

1. Existing Conditions (2010)

Project Site and Vicinity

The project site is at 15962 South Hunter Avenue, in the Park Place neighborhood of Oregon City. South Fork Water Board's existing water treatment plant is located on the property. The site is approximately 10 acres, bounded by South Hunter Avenue to the west, South Thurman Street to the north and Swan Avenue to the east. South Fork Water Board constructed its treatment plant at the site over 50 years ago, in 1958. Since that time, residential development has filled in around the property. The South Fork property is zoned R-10 and is designated Low Density Residential on the Comprehensive Plan map. Surrounding properties have both R-10 and R-8 zoning (see Image 1).

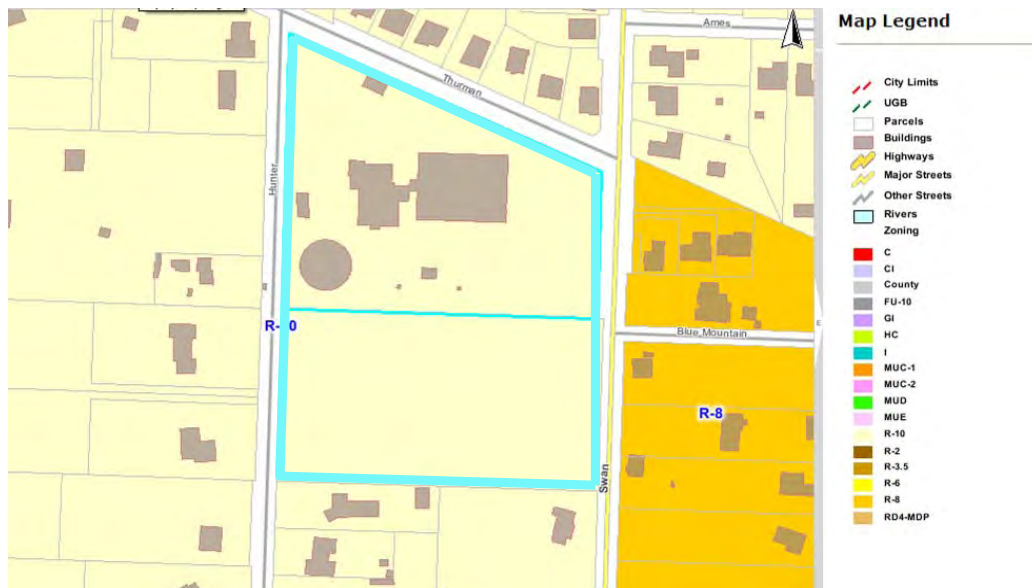


Image 1: Oregon City Zoning Map

Existing Use

The use of the site is "public utility" (Oregon City Municipal Code 17.04.985). The purpose of the uses taking place on the site is to provide potable water to approximately 63,000 people in the surrounding area. The treatment plant purifies water from the Clackamas River and removes objectionable materials through a multi-

step process. The treatment process includes coagulation, flocculation, sedimentation, filtration and chlorination of the raw water to remove harmful particles and bacteria.

- The coagulation process disperses aluminum into the water quickly to allow particles to stick to each other as “floc”.
- The flocculation process slow-mixes the floc particles in the water to form larger particles which will settle.
- Sedimentation is a gravity-driven process that removes the flocculated particles from the water.
- Filtration removes remaining particles such as silt, natural organic matter and microorganisms from the water, which acts as a final polishing step, and improves the effectiveness of disinfection.
- Chlorine then disinfects the water and provides residual protection against biological contamination in the water distribution system.

Approximately 26 percent (112,760 square feet) of the site is developed with buildings, structures, and paving. The remaining three-quarters of the site is undeveloped and landscaped. The north and west portion of the site is more open and grassy, while the southeast corner of the site is wooded (see **Image 2**). **Figure 5** also shows existing landscaped areas.



Image 2: Aerial View of the Project Site, 2009

Site Description

The project site is generally flat and located at a general elevation of 330 feet. Part of the site at its southeast corner has steeper slopes. **Image 3** shows the sloping areas of the site. Slopes between 10 and 25 percent appear in yellow, 25-35 percent slopes in gold and slopes greater than 35 percent in red. The steeply sloped area shown on the map is currently wooded, and occupied by conifers, deciduous trees, and a variety of native shrubs.



Image 3: Slope Map

Oregon City's Natural Resource Overlay District (Title 13) occupies the same general area where the steep slopes are located. The orange area in **Image 4** shows steep slopes.

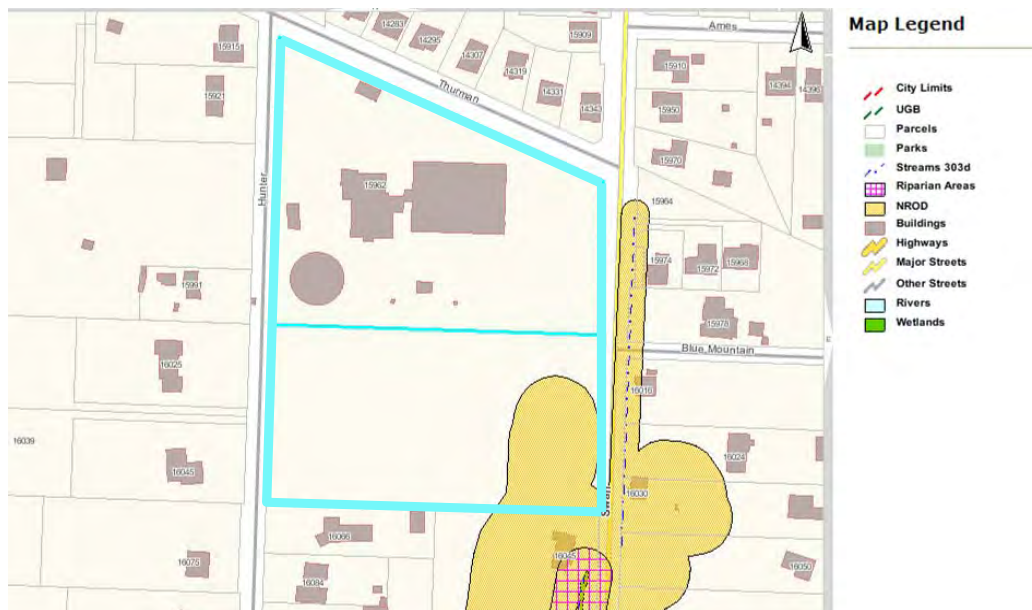


Image 4: Oregon City Natural Resources Overlay District (NROD) Map

Existing development on the site consists of a variety of water treatment infrastructure and supporting administrative facilities. **Figure 3** shows all existing development.

Table 1 lists the existing buildings and structures on site.

Table 1: Inventory of Existing Above-ground Structures

| Structure | Dimensions (ft.) | Area (sq. ft.) | Height above grade (ft) |
|---|----------------------|-------------------|---|
| Headhouse (Operations Building) | 80 x 50 | 4,000 | 24 (to eaves) |
| Filters (4) | (total) 75 x 75 | (total) 5,625 | 12 (to top of wall of exterior filter boxes) |
| Flocculation/ Sedimentation Basins (2) | (total) 165 x 133 | (total) 21,945 | 4-8 (varies) |
| Clearwell #2 | 95 (dia) | 7,100 | 2 |
| Clearwell #3 | 125 x 260 | 32,500 | 3 |
| Pipeline B Pump Station | 15 x 25 | 375 | 3 |
| Storage Shed | 20 x 40 | 800 | 12 (to eave) |
| Backwash Ponds (2) | (total) 230 x 175 | (total) 40,250 | 0 |
| Backwash/Decant Pump Station | 20 x 27 | 540 | 12 (to eaves) |
| Total | | 113,135 | |

The site also contains the following water treatment infrastructure and associated piping:

- 27-inch diameter raw water pipeline from the intake,
- 30-inch diameter finished water transmission pipeline to Division Street pump station,
- 24-inch diameter "Pipeline B"
- 42-inch diameter finished water transmission pipeline
- Raw water magnetic flow-meter,
- Finished water magnetic flowmeter,
- One pumped diffusion rapid mixer,
- 42-inch settled water pipeline,
- Four dual-cell, gravity, constant-rate filters,
- 0.2 million gallon (MG) "under-filter" clearwell,
- Chemical storage and feed systems,
- 8-inch recycled water pipeline from the Backwash Ponds, and
- 8-inch sludge pipeline from sedimentation basins to the Backwash Ponds.

Public Utilities

The site has sanitary sewer and domestic water services provided by Oregon City. Stormwater currently drains to a 30-inch pipe, which transports water offsite to the Clackamas River.

Existing Transportation Conditions

The only formal site access is located on Hunter Avenue, near the middle of the site. There is another unpaved access road further south on Hunter Avenue. The paved parking area and main vehicle circulation area is located at the gated site entrance. Parking areas provide parking for approximately 10 cars. These parking areas are not striped and there are no existing bicycle facilities. The closest bus stop is approximately 0.25 miles from the site, at South Swan Avenue and South Holcomb Boulevard.

The Oregon City Transportation System Plan (TSP) classifies Swan Avenue as a Collector, and Thurman Street and South Hunter Avenue as Local Streets. The City's Transportation System Plan calls for curb, gutter and sidewalks along both sides of South Swan Avenue (from Holcomb Road to Forsythe Road). It also identifies this road "to be signed" as a bike route.

Land Use History and Related Conditions of Approval

Since South Fork Water Board constructed the treatment plant in 1958, it has made numerous upgrades to the facility. Most recently, the South Fork Water Board received land use approval in 2007 (CU 07-06/WR 07-28/SP 07-14) to construct a fully enclosed,

concrete water tank called a “clearwell.” It completed construction in 2008, and is currently in operation.

Just prior to the approval of the conditional use application, South Fork dedicated land to Oregon City along its Swan and Thurman street frontages; 7.5 feet along Thurman and 11 feet along Swan. This dedication will enable the City to use the land for future right of way improvements.

Three conditions were tied to the 2007 approval as follows:

- 1. The applicant is responsible for this project’s compliance to Engineering Policy 00-01. The policies pertain to any land use decision requiring the applicant to provide any public improvements.*
- 2. 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.*
- 3. Any alterations to the submitted revised landscaping plan shall be submitted to staff for approval prior to installation and project final. Deviations to the plan may be allowed as long as they maintain the overall quantity and quality of the revised preliminary plan submitted on November 14, 2007.*

The other land use review on record for the site was approval for a Site Plan and Design Review Permit to construct a second-story office addition (SP-05-0003), constructed in 2005. There was one condition of approval from this case, as cited in the 2007 decision. The condition read as follows:

- 1. Prior to the finalizing of Building Permits, the Applicant shall install the landscaping plan shown on sheet C-2 (dated January 20, 2005).*

South Fork Water Board has met the conditions tied to the 2007 and 2005 approvals.

2. Proposed Master Plan (2010-2030)

Purpose

The purpose of this Master Plan is to facilitate the land use review process so that South Fork Water Board can adequately plan for facility upgrades over the next 20 years. These facility upgrades are needed to meet the community’s future water demands. To meet future demand, South Fork Water Board proposes to increase the treatment capacity from 22 mgd to 40 mgd. Moreover, outmoded and aging infrastructure will need to be replaced during that timeframe, regardless of changes in demand.

Oregon City's concept master plan process allows the applicant to set out the overall approach to the development at the site, based on land use regulations in effect at the time of approval. When specific phases of development are fully funded and ready for construction, South Fork Water Board will file a detailed development plan application. The detailed plan will show more precisely the locations of new structures, building materials and design, landscaping, and other details on a building-by-building basis. As long as the detailed plan is in substantial conformance with the structure of this concept plan, the application will be reviewed under a Type II process according to City guidelines.

Boundary

The master plan boundary includes the two contiguous tax lots (2-2E-21CD-02500 and 2-2E-28BB-00100) owned by South Fork Water Board. **Figure 4** shows the property and master plan boundary.

Duration

This master plan will be in effect for the full 20 years allowed by Section 17.65.050(B). However, South Fork Water Board may complete the improvements sooner. The 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.

Development Phasing

Proposed new facilities include new flocculation/sedimentation basins, new filtration systems, underground piping, a remodeled operations building, a new building to house treatment materials and chemicals, and various other process equipment. South Fork Water Board plans to phase development over the next 20 years, as follows:

- Phase 1 - 2015: New flocculation/sedimentation basin, a new building for storing water treatment materials and chemicals, two new filters, a flowmeter/rapid mix vault and a remodel of the operations building (headhouse).
- Phase 2 - 2020: New building with mechanical systems (centrifuges) for processing the sediment that results from the treatment process, new pump station and new gravity sludge thickeners and sludge holding tanks.
- Phase 3 - 2025: Replace the two existing flocculation/sedimentation basins with two new basins, construct ozone contact basins, and build an ozone generator and a standby, power generator addition to the chemical storage building.

Each of the three phases listed above will be subject to a detailed development plan review by Oregon City.

Table 2 summarizes the main project elements in each phase, and the reason for the proposed improvements. **Figure 3** shows the location of proposed improvements. Note that the locations shown on the site plan are conceptual and may change slightly due to site constraints, technological advances or other unforeseen circumstances. South Fork Water Board requests concept plan approval for all three phases as part of this application.

Table 2: Master Plan Development Phases (2010-2030)

| Phase | Summary of Main Project Elements | Reason for Improvements |
|---|--|--|
| Phase One ----- 30 mgd expansion ----- Operation Expected By Summer 2015 | <ul style="list-style-type: none"> ▪ Add 10 mgd flocc/sed basin, settled water pipeline & sludge pipeline ▪ Add chemical building & relocate salt/brine & sodium hypochlorite tanks to new building ▪ Expand road for delivery truck access ▪ Add rapid mix flow meter vault & 30" coagulated water pipeline; reroute 8" recycle pipeline ▪ Connect to 42" raw water pipeline completed from another project ▪ Add 2 new filters & add air scour to existing filters ▪ Remodel operations building with relocated workshop in basement; and remove existing shed ▪ Install second power supply | One additional flocculation/sedimentation basin and two new filters will be constructed to increase plant capacity. Treating more water will require use of more chemicals. Existing chemical tanks (currently located inside and outside of the headhouse) will be relocated to a new storage building constructed to protect and house all of the plant's chemicals. |
| Phase Two ----- Solids handling improvements ----- Operation Expected By Summer 2020 | <ul style="list-style-type: none"> ▪ Add two-story centrifuge building ▪ Add sludge pipeline and thickener supernatant return pipeline ▪ Add sludge holding tank, thickeners & thickened sludge pump station ▪ Add continuous sludge collectors to existing basins ▪ Add internal driveway for truck access to centrifuge building | The additional amount of water treated will produce more solids. Solids will travel to the new centrifuge facility, where they will be dewatered. The dewatered solids will be loaded into trucks and hauled off-site. On-site application of solids will discontinue. |

| Phase | Summary of Main Project Elements | Reason for Improvements |
|---|---|--|
| Phase Three <hr/> 40 mgd expansion <hr/> Summer 2025 | <ul style="list-style-type: none"> Demolish existing floc/sed basins Add ozone contact basins Add two 15 mgd floc/sed basins with plate settler Standby power generator & ozone generator building additions Add 2 liquid oxygen (LOX) tanks | To increase capacity, the two existing flocculation/ sedimentation basins will be replaced with two new basins that can treat greater flows. An ozone system utilizing LOX (liquid oxygen) will be added for additional disinfection and taste and odor control and trace organics control. The ozone generator building will be added to the chemical building constructed in Phase 1. An ozone basin will be located east of the flocculation/ sedimentation basins. |

Table 3 summarizes by development phase the proposed buildings and aboveground structures that will develop over the next 20 years. Note that the actual design of the buildings and any associated landscaping elements will be subject to detailed development plan review by Oregon City.

Table 3: Summary of Proposed New Above-ground/At-Grade Structures¹

| Structure | Dimensions (ft) | Area (sq. ft.) | Height above grade (ft) | Construction | Mitigation |
|---|-----------------|----------------|-------------------------|-----------------------------|--|
| Phase 1 | | | | | |
| A. New chemical building | 100 x 40 | 4,000 | 20 (to eaves) | Pitched roof, block masonry | . SFWB will install landscaping in the area shown on Figure 5 in compliance with Subsection 17.62.050.A.1.. |
| B. New Flocculation/Sedimentation Basin | 270 x 45 | 12,150 | Varies 4-8 | Concrete | This structure is set back approximately 80' from the nearest property line and will be fenced and screened by the landscaped areas shown in Figure 5. |
| C. Flowmeter/ Rapid Mix Vault | 20 x 40 | 800 | Buried | Concrete vault. | This structure will be below grade and replanted with grass or other groundcover. |

¹ Letters A through K correspond to Figure 4.

| Structure | Dimensions (ft) | Area (sq. ft.) | Height above grade (ft) | Construction | Mitigation |
|---|---------------------|------------------|-------------------------|-----------------------------|--|
| D. New Filters (2) | (total) 40 x 75 | (total) 3,000 | 12 | Concrete | This structure is set back from property lines and will be screened by other development and existing landscaping. |
| Phase 2 | | | | | |
| E. Solids Pump Station | 20 (dia) | 320 | 10 (to eaves) | Pre-engineered metal | This structure is set back approximately 130 ' from the nearest property line and will be screened by other development and existing landscaping. SFWB will soundproof the building. Sound levels will meet DEQ regulations as proposed in Condition 2. |
| F. New Two-Story Dewatering Building with Centrifuges | 70 x 70 (2 stories) | 4,900 | 20 (to eaves) | Pitched roof, block masonry | This structure is set back approximately 130 ' from the nearest property line and will be screened by other development and existing landscaping. The building will be soundproofed and designed to match existing headhouse. Sound levels will meet DEQ regulations as proposed in Condition 2. |

| Structure | Dimensions (ft) | Area (sq. ft.) | Height above grade (ft) | Construction | Mitigation |
|--|--------------------|-------------------|-------------------------|---------------------------------------|---|
| G. Solids Holding Tank and Gravity Sludge Thickeners (3) | (each) 25 (dia) | (total) 1,500 | 5 | Cylindrical tanks (concrete or steel) | These structures are set back approximately 130' from the nearest property line and will be screened by other development and existing landscaping. As shown in Figure 5, trees will not be removed from preserved areas, unless a licensed arborist determines that they are diseased, dying or hazardous, or as modified through a detailed development plan application. |
| Phase 3 | | | | | |
| H. Ozone Generator, & Standby Power Building (addition to Chemical Building) | 40 x 75 | 3,000 | 20 (to eaves) | Pitched roof, block masonry | SFWB will install landscaping in the area shown on Figure 5 in compliance with Subsection 17.62.050.A.1. |
| I. New (remodeled) Flocculation/ Sedimentation Basins (2) | (each) 270 x 45 | (total) 24,300 | Varies 4-8 | Concrete | These structures are setback approximately 60' from the nearest property line and will be screened by the landscaping shown in Figure 5 and other structures proposed in Phase 3. |
| J. New Ozone Contact Basins | 90 x 50 | 4,500 | 5 | Concrete | SFWB will install landscaping in the area shown on Figure 5 in compliance with Subsection 17.62.050.A.1. |

| Structure | Dimensions (ft) | Area (sq. ft.) | Height above grade (ft) | Construction | Mitigation |
|--------------------------------------|-------------------|----------------|-------------------------|--|--|
| K. New Liquid Oxygen (LOX) Tanks (2) | (each) 6 (dia) | (total) 600 | 7 | Steel cylindrical tanks, mounted on concrete pad | SFWB will install landscaping in the area shown on Figure 5 in compliance with Subsection 17.62.050.A.1. |
| Total | | 59,070 | | | |

3. Development Impacts and Mitigation

Aesthetics

Currently, neighbors have views of the site from Thurman Street to the north and South Hunter Avenue to the west. Due to the mature trees located in the southeast of the site, views from South Swan Avenue to the east are limited (see **Image 5**).



Image 5: View of the site from Thurman (left), Hunter (center) and Swan (right)

As shown in **Image 5**, visible development is limited. The scale and design of the existing buildings are in keeping with the surrounding residential character. Pipes, tanks and vaults associated with the plant are buried and invisible to neighbors. The existing flocculation/sedimentation basin is set back from the property lines and is not visible to neighbors.

Trees and other landscaping will partially screen the proposed new structures that will be visible from adjacent properties. The setback between Thurman Street and the new chemical storage building will achieve a similar effect as on other site frontages. The area between the new building and the property line will be planted with new trees and other vegetation to mitigate for any trees that will be removed in the construction process. Vegetation to the west and south, and the existing building to the west and the fence to the north will screen the proposed new dewatering building. The architectural design of the new buildings will also complement the existing buildings. The proposed new flocculation/sedimentation basins are relatively low profile (similar to the existing

basins), and will be set back from adjacent property lines as shown on the concept site plan.

South Fork Water Board will revegetate all temporary disturbance areas with native trees and other vegetation. The selected species will reflect the existing native plant community and enhance neighboring views.

Air Quality

Drinking water treatment processes do not create noticeable emissions, and will not significantly affect local air quality. A very small increase in truck traffic – approximately two to three additional trips per week – may occur because of the increased volume of water being treated, which requires more chemical inputs delivered to the site and more sediment by-products hauled away. Tailpipe emissions from the small number of additional trucks will be imperceptible compared with background conditions.

Hazards and Hazardous Materials

During the construction period, fuels, oils, and other chemicals (*e.g.*, paints, adhesives) may be required to build the proposed facilities and service construction equipment. The contractor will store any such materials in a secure location, isolated from stormwater runoff.

Additional quantities of water treatment chemicals are required as part of the plant upgrade. Specifically, they include: 1) salt (to produce liquid sodium hypochlorite onsite), 2) low-strength sodium hypochlorite solution, 3) aluminum sulfate (liquid alum), 4) liquid cationic polymer, and 5) dry sodium carbonate (soda ash). These chemicals will be stored inside the new building, and are non-hazardous liquids or dry products (no gases or combustibles). These are very stable materials and are currently in use.

As part of the plant upgrade, liquid oxygen (LOX) will be imported onsite. Liquid oxygen is widely used for industrial and medical purposes, obtained from the oxygen found naturally in air by fractional distillation.

All the materials and chemicals currently in use or proposed at the site are used and stored according to state and federal standards.

Hydrology and Water Quality

The proposed development will increase lot coverage by approximately 59,070 square feet. A new paved truck turnaround will extend from the existing parking area to provide vehicular access to the new chemical building and a new driveway will extend from S Hunter Avenue to the new two-story dewatering building. Approximately 60 percent of the site will remain undeveloped and landscaped. Temporary disturbance

areas will be re-vegetated, to increase onsite stormwater infiltration. New trees will be planted on the site to increase the rate of evapotranspiration, thus offsetting the increase in impervious coverage. Surface runoff will continue to drain to the existing storm drain, which discharges to the Clackamas River.

Noise

The new solids pump station and centrifuge buildings will contain process equipment that generate noise. The ozone generation equipment and the standby generator will occupy the addition to the proposed new chemical building. However, South Fork Water Board will enclose and soundproof all new buildings to ensure minimal noise levels. The design of any structure or equipment will meet or exceed all applicable Oregon Department of Environmental Quality limits on noise. (See Oregon Administrative Rules 340-035.) The City will review the design of these buildings in the detailed development stage.

Transportation/Traffic

South Fork Water Board anticipates that the proposed improvements will have the following transportation impacts:

- Staff – The proposed expansion will require two additional employees to operate the plant. However, during the 20-year timeframe of the master plan, South Fork Water Board plans to build a new administrative building at a different site. This will result in a transfer of two existing administrative staff away from the Hunter Avenue site. Thus, over the life of this master plan, staffing levels at the site and the resulting trip generation will not change.
- Chemical deliveries – The improvements will result in an increase in the use of aluminum, salt, soda ash, and polymer and new use of LOX (Liquid oxygen systems used to provide feed gas for ozone generator systems). Thus, there will be a slight increase in trip generation due to the increase in deliveries. **Table 4** summarizes the expected trip generation associated with the new/additional deliveries. As shown in **Table 4**, the additional chemical deliveries will generate approximately 2.5 additional trips per month.

Table 4: Trip Generation from Additional “Chemical-Based” Truck Deliveries

| Delivery | Expected Monthly Trip Generation |
|------------------|--|
| Liquid Alum | 1 truck/month (additional) |
| Salt - dry | 0.5 truck/month (additional) |
| Soda ash - dry | SuperSack deliveries instead of 40 lbs bags, no net change |
| Polymer - liquid | Bulk delivery once a year, no net change |
| LOX - gas | 1 truck/ month (new) |

- **Solids Removal** – Currently, South Fork Water Board manages solids produced by the treatment process on site. The proposed improvements will allow South Fork Water Board to dispose of solid by-products off site. The new dewatering system will reduce solids production to one-third the existing volume. However, because the upgrade will increase treatment capacity, the plant will produce more solids, thus, the site will likely generate approximately 80 trips annually, or seven truckloads a month.

Altogether, full build-out of the South Fork Water Board site will result in fewer than 10 trips per month over existing conditions. These trips will also occur during off-peak periods during the day, and will have a minimal impact on adjacent property owners. The existing transportation system can easily accommodate this additional volume.

As shown on the site plan **Figure 4**, the master plan proposes a second driveway entrance on Hunter Avenue, south of the existing one, to provide access to the proposed solids dewatering building. This will enable trucks to load and remove solids from the dewatering building without circulating internally through the site. The design meets applicable driveway spacing and sight distance standards.

South Fork Water Board has not proposed to build improvements to surrounding transportation facilities. The level of impacts (vehicular, bicycle, and pedestrian trips) generated by proposed development is very low: less than three truck trips per week, all at off-peak hours.

At the same time, South Fork Water Board is interested in working with the City to help it meet its long-term transportation goals. As an example, South Fork Water Board dedicated 11,000 square feet of property to the City for future right of way in 2007 – 11 feet along its Swan frontage, and 7.5 feet along its Thurman frontage.

Summary of Public Involvement

As part of the master plan process, South Fork Water Board requested a meeting with the Park Place Neighborhood Association to discuss the proposed development. This meeting explained the master plan process, showed ideas for long-term future development, and solicited feedback. South Fork Water Board held the meeting at the treatment plant on May 6, 2010. Four representatives from the neighborhood attended. South Fork Water Board has incorporated comments from the neighbors into the concept for the master plan. Notes of the topics discussed are included as part of this application (see **Appendix B**).

SECTION 2: FINDINGS

1. Master Plan Requirements & Approval Criteria (Chapter 17.65)

Submittal Requirements (Subsection 17.65.50)

The current proposal contains all of the required Master Plan components, addressed in detail in Section 1 and summarized in **Table 5**.

Table 5: Concept Development Plan Components Required by Subsection 17.65.50

| Component | Response |
|---|---|
| A. Existing Conditions Submittal Requirements | |
| 1. Narrative statement... | |
| a. Current uses... | SFWB water treatment facility exists on the subject site. Section 1 details the current treatment process |
| b. History or background... | The treatment facility has operated at the site for over 50 years, and serves 63,000 customers. See Section 1. |
| c. A vicinity map... | Figure 1 is a vicinity map that shows the site and surroundings. |
| d. Non-institutional uses | Residential development surrounds the site on all four sides. The aerial photo (Figure 2) shows surrounding development. |
| e. Previous land use approvals... | The site has two recent land use approvals, for an addition to the office building, and a new clearwell (CU 07-06/WR 07-28/SP 07-14 and SP-05-0003). Related conditions reprinted and described in Section 1, Existing Conditions. |
| f. Existing utilization of the site... | The site is approximately 1/3 developed and 2/3 open space. Figure 5 shows the extent of the current landscaped area. |
| g. Site description... | The site is relatively flat with steep slopes on the southeast corner and largely undeveloped. Buildings and structures relate to the treatment and provision of drinking water. (For further detail, see Section 1.) |
| h. Existing transportation analysis... | Two local streets (Hunter, Thurman) and a collector (Swan), surround the site. Volumes on the surrounding streets are low. There are no transit lines close to the site. The site has approximately 10 parking spaces to provide for eight employees, visitors, and service vehicles. |
| i. Infrastructure facilities and capacity... | The site is served by City sanitary sewer and water, and stormwater management. Use of these facilities, aside from water treatment and distribution, is very low because of the employee count and large area of the site. |
| 2. Maps and Plans... | |
| a. Existing conditions site plan... | Figure 3 shows existing conditions. This figure contains the applicable items as required. SFWB is deferring the detailed landscape plan (tree species and location, etc.) to the detailed development phase of the master plan, where it is required as part of Site Plan and Design Review. |
| b. Vicinity map... | Figure 1 shows the site's general location including nearest cross streets |
| c. Aerial photo... | Figure 2 includes an aerial photo that depicts the site and property within 250 feet of the proposed development boundary. |
| B. Proposed Development Submittal Requirements | |
| 1. Narrative statement... | |

| | |
|--|---|
| <i>a. The proposed duration...</i> | SFWB proposes a master plan duration of 20 years as permitted by code and detailed in Section 2, Proposed Master Plan. |
| <i>b. The proposed development boundary...</i> | The boundary includes two contiguous parcels, 2-2E-21CD-02500 and 2-2E-28BB-00100. These are shown on Figures 3 and 4 and discussed in Section 1, Proposed Master Plan |
| <i>c. A description, approximate location, and timing of each proposed phase...</i> | Development will occur in three phases over the 20-year lifespan of the master plan. Table 3 in the narrative summarizes each development phase and expected operational date. Figure 4 shows the approximate location of each phase. |
| <i>d. An explanation of how the proposed development is consistent with the purposes of Section 17.65 and any applicable overlay district.</i> | <p>The finding for §17.65.010 below explain how the proposed development is consistent with the purposes of the master plan chapter. That purpose is “to facilitate the development of major public institutions, government facilities and parks and ensure the compatibility of these developments with surrounding areas.” The treatment facility is a major public water provider, and this specific design insures compatibility through building placement, operations, landscaping, and other design features. The development complements adjacent residential development.</p> <p>The site is located in the Geologic Hazards Overlay District and the Natural Features Overlay District. The purpose of these chapters is stated in Chapters 17.44.010 and 17.49.[0]10 respectively. In general, the purpose of the overlays is to protect the mapped resource. As shown in Figure 4, all development is proposed far outside of the edge of any mapped resources. Thus the development meets the intent of these chapters.</p> |
| <i>e. A statement describing the impacts of the proposed development on inventoried Goal 5 natural, historic or cultural resources...</i> | There are no City-mapped historic or cultural resources onsite. The development will not affect Goal 5 natural resources onsite, because all development will be located well outside of the natural resource setback area. |
| <i>f. An analysis of the impacts of the proposed development on the surrounding community...</i> | The building placement, operations, landscaping, building design and mitigation measures identified in Section 1 will ensure the development’s compatibility with the existing residential district. There will be no significant impact on the existing natural environment. Section 1, Development Impacts and Mitigation, identifies any potential impact on the community. |
| <i>g. A summary statement describing the anticipated transportation impacts...</i> | The proposed development will generate approximately 9.5 additional trips per month. Parking demand will not increase as the number of employees will not increase. Section 1, Development Impacts and Mitigation summarizes the anticipated transportation impacts, which are minimal. |
| <i>h. In addition to the summary statement of anticipated transportation impacts, an applicant shall provide a traffic impact study as specified by City requirements...</i> | As discussed in the narrative, the development will created negligible impacts on the transportation system: an additional 9.5 trips per month. Based on the low number of trips generated by the development, a detailed traffic study prepared by an engineer is not necessary. |

| | |
|--|--|
| i. If an applicant chooses to pursue option h(1)... | SFWB has quantified transportation impacts based on its existing and future operations, without a detailed traffic study prepared by an engineer. As discussed in the narrative, this plan does not propose any specific improvements to the transportation infrastructure, because impacts are so minor. |
| j. The applicant or city staff may propose objective development standards... | SFWB is not proposing development standards or approval criteria specific to this facility. As permitted by ORS 227.178(3), it chooses to rely on land use regulations in effect on the date of application submittal. |
| 1. Maps and diagrams... | |
| a. A preliminary site circulation plan... | Figure 4 shows the circulation patterns on the site. |
| b. The approximate location of all proposed streets, alleys, other public ways, sidewalks, bicycle and pedestrian access ways... | The proposal does not contain streets, alleys, other public ways, sidewalks, bicycle or pedestrian accessways in or through the site. There are no transit streets, facilities, or neighborhood activity centers and/or easements within 250 feet of the site. |
| c. The approximate location of all public facilities to serve the proposed development... | Figure 4 shows approximate location of water, sanitary sewer, and stormwater management facilities. |
| d. The approximate projected location, footprint and... | Figure 4 shows the approximate location, and footprint of each phase of proposed development. Table 3 shows building square footages. South Fork notes that the precise location, footprint, and square feet of structures may vary slightly from the concept plan. The City will review exact location and building design at detailed development plan review. |
| e. The approximate locations of proposed parks... | SFWB does not propose playgrounds, play areas, outdoor common areas. All development is located outside of the mapped NROD. |

Response: As documented in **Table 5**, South Fork Water Board has submitted the components required by Subsection 17.65.50. The proposal satisfies this requirement.

General Development Plan Approval Criteria (Subsection 17.65.50)

17.65.50 Concept Development Plan

C. Approval Criteria for a General Development Plan. *The Planning Commission shall approve an application for general development plan approval only upon finding that the following approval criteria are met.*

- 1. The proposed general development plan is consistent with the purposes of Section 17.65.*

Response: The purpose and intent of Chapter 17.65 is as follows:

17.65.010 - Purpose and intent.

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. (Ord. 03-1014, Att. B3(part), 2003)

South Fork Water Board is a major water service provider to Oregon City and West Linn and parts of unincorporated Clackamas County for approximately 63,000 people in Clackamas County. To meet future water needs, South Fork Water Board must upgrade treatment capacity from 22 mgd to 40 mgd and replace outdated infrastructure and technology. Approval of the proposed concept plan will allow South Fork Water Board to adequately plan for future improvements, which will help to facilitate the development review process. The City's master plan process allows the applicant to rely on current regulations and to streamline future land use applications through the detailed development review process (Type II). For these reasons, the concept master plan affords South Fork Water Board with the assurance it needs to plan for phased growth and development as outlined in Section 1.

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.

Response: The Oregon City Transportation System Plan (TSP) classifies Swan Avenue as a Collector, and Thurman Street and South Hunter Avenue as Local Streets. The TSP identifies these streets as operating at a satisfactory level of service. Likewise, based on South Fork Water Board's observations, traffic on the surrounding streets is minimal.

South Fork Water Board has forecast anticipated transportation impacts from the development, as detailed in Section 1. The improvements will generate 2.5 additional trucks per month from chemical deliveries and 7 trips a month from solids removal, for a net increase of approximately 9.5 trips per month. The proposal will not have a significant impact on the City's transportation system, nor will it degrade the existing level of service. The system is capable of supporting the development proposed with no significant change in service levels. The proposal satisfies this criterion.

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.

Response: The proposed improvements will ensure that South Fork Water Board is able to continue to meet future water needs of the service area. Because of the low employee count and the fact that there will be no net change in employees working at the site, the expansion will have a negligible impact on the sewer system. Likewise, police services will not change. There is an existing fire hydrant located to the west of the site along South Hunter Avenue, which serves existing development and will suffice to serve new development. As shown on **Figure 4**, stormwater will drain to the existing storm drain. A large portion of the undeveloped area will remain in its natural vegetative state. South Fork Water Board will replant all temporary disturbance areas with grass or other native vegetation, which will help to minimize additional stormwater runoff. For these reasons, existing City services are able to serve the proposed development and the proposal satisfies this criterion.

4. The proposed general 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.

Response: There are no known or mapped historic or cultural resources within the proposed development boundary. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program. The proposed development will entirely avoid the mapped resource. Because the proposed development is completely outside of the mapped resource and its buffer zones, the proposal complies with the requirements of this chapter. The proposal satisfies this criterion.

5. The proposed general 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.

Response: The project's anticipated impact and associated mitigation measures was discussed above in Section 1, Proposed Development Impacts and Mitigation. **Table 6** summarizes the discussion of impacts.

Table 6: Development Impacts and Mitigation

| Impact category | Impact from Master Planned development | Summary of Proposed Mitigation |
|---------------------------------|--|---|
| Aesthetics | New industrial buildings and large water treatment facilities | SFWB will screen the perimeter of the site to maintain existing views and preserve the character of the neighborhood. New building designs will fit the park-like setting and complement existing buildings. |
| Air Quality | No noticeable emissions result from the water treatment process. | None required. |
| Biological Resources | None. Development avoids the mapped NROD district and does not impact sensitive resources. | None required. |
| Cultural Resources | None. There are no mapped or known cultural or historic resources onsite | None required. |
| Geology and Soils | None. Development will avoid steeply sloped areas. | None required. |
| Hazards and Hazardous Materials | Additional water treatment chemicals are required as part of the plant upgrade. These are non-hazardous, stable substances. Construction activity will require the use of fuels, oils, and other chemicals (e.g., paints, adhesives). | A security fence prevents access to the site. Chemicals will be stored in safe, locked containers inside buildings. |
| Hydrology and Water Quality | Additional 44,000 sq. ft. of impervious surfaces will increase the volume of stormwater runoff. | Disturbed areas from buried structures/pipes will be replanted after completion of construction |
| Land Use | Land use remains the same. | Landscaping will screen structures and preserve "park" character for continued neighborhood compatibility. |
| Noise | New process equipment including centrifuge and standby power generator create some new noise impacts. Truck deliveries add 9.5 trips per month. | Noise-generating equipment will be located in soundproof buildings. Noise from additional trucks is unavoidable, but infrequent. |
| Transportation/Traffic | Addition of 9.5 additional truck deliveries/loads per month. | Low number of additional trips is insignificant as proportion of overall traffic in transportation system, and unavoidable. |

As shown in Table 6, the development will not impact biological or cultural resources, geology and soils. Land use will not change. Due to the negligible increase in truck traffic (9.5 per month) and the lack of traffic on the surrounding street system, impacts to the transportation system will be insignificant. For these reasons, the general

development plan mitigates those impacts identified in Section 1 and the proposal satisfies this criterion.

6. The proposed general Development Plan is consistent with the Oregon City Comprehensive Plan and its ancillary documents.

Response: Section 2, Review of Conditional Use Approval Criteria and Standards, provides a review of applicable Comprehensive Plan policies. As shown, the proposal is consistent with these policies and will help to directly meet the intent of Goals 11.1 (Provision of Public Facilities) and 11.3 (Water Distribution) and Policy 11.3.2. The proposal satisfies this criterion.

2. Conditional Use Approval Criteria and Standards (Chapter 17.56)

17.56.010 Permit--Authorization--Standards--Conditions.

A conditional use listed in this title may be permitted, enlarged or altered upon authorization of the planning commission in accordance with the standards and procedures of this title. A conditional use permit listed in this section may be permitted, enlarged or altered upon authorization of the planning commission in accordance with the standards and procedures of this section. Any expansion to, alteration of, or accessory use to a conditional use shall require planning commission approval of a modification to the original conditional use permit.

A. The following conditional uses, because of their public convenience and necessity and their effect upon the neighborhood shall be permitted only upon the approval of the planning commission after due notice and public hearing, according to procedure as provided in Chapter 17.50. The planning commission may allow a conditional use, provided that the applicant provides evidence substantiating that all the requirements of this title relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

- 1. The use is listed as a conditional use in the underlying district;*

Response: Subsection 17.08.030(H), lists “Public utilities” as a conditional use in the R-10 district. This criterion is met.

- 2. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;*

Response: The site is approximately 10 acres bounded on three sides by Hunter Avenue to the west, Swan Avenue to the east, and Thurman Street to the north. The size of the site is suitable for the proposed water treatment activities, and can accommodate the

process equipment and structures needed while maintaining a substantial portion of the site in a natural or landscaped setting. The shape of the site, generally trapezoidal, allows for the proposed water treatment facilities to be located next to each other in an efficient arrangement. The location of the site is suitable, being located relatively close to the intake point at the Clackamas River, and at a high elevation point close to the service area. The topography of the site is suitable – generally flat, with the exception of a steeply sloped area on which no development is proposed. The improvements on this site are existing water treatment structures and equipment, which will work in concert with the new development. The natural features of the site are located in its southeast corner, away from any proposed development. No change to the “public utility” use is proposed. This same criterion was satisfied by the conditional use application for the 2 MG reservoir in 2007, and the site has not changed since then. For these reasons, the site is, and will continue to be, suitable for the public utility use. The proposal meets this criterion.

3. The site and proposed development are timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use;

Response: South Fork Water Board’s response to approval criterion 17.65.50 (C)(2) demonstrates that the proposal will not have a significant impact on the City’s transportation system or increase demand for public facilities or services. The proposed development will ensure the future adequacy of the City’s water supply. The proposal meets this criterion.

4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;

Response: The water treatment plant has operated at the site for the last 50 years. No change in use is proposed. The proposed development will increase the plant’s capacity without detracting from the character of the surrounding area by: concentrating future development in already-developed areas, preserving mapped natural features and maintaining a park-like setting and landscaping around its perimeter (see Table 3). The primary uses in the surrounding area are predominantly residential and the area is fully developed. The future development will not limit, impair or preclude the use of surrounding properties in any way.

5. The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use.

Response: The following goals and policies of the City’s Comprehensive Plan are applicable.

Goal 1.1 Citizen Involvement Program

South Fork Water Board is using the City's process for citizen involvement in land use decisions, and has met with the neighborhood in advance of submitting the application.

Goal 2.1. Efficient Use of Land

The proposal will expand infrastructure capacity by using vacant and/or underdeveloped areas.

Goal 11.1 Provision of Public Facilities

The proposal will ensure South Fork Water Board's ability to provide water to Oregon City.

Goal 11.3 Water Distribution

Seek the most efficient and economic means available for constructing, operating, and maintaining the City's water distribution system while protecting the environment and meeting state and federal standards for potable water systems.

The proposal will increase the efficiency and safety of the water distribution system, while meeting all state and federal standards.

Policy 11.3.2

Collaborate with the South Fork Water Board to ensure that an adequate water supply system is maintained for residents. Coordinate with the South Fork Water Board, the City of West Linn, and Clackamas River Water to ensure that there is adequate regional storage capacity.

The proposal will increase regional water treatment capacity and will improve the ability of South Fork Water Board to meet the increasing need of its customers.

B. Permits for conditional uses shall stipulate restrictions or conditions which may include, but are not limited to, a definite time limit to meet such conditions, provisions for a front, side or rear yard greater than the minimum dimensional standards of the zoning ordinance, suitable landscaping, off-street parking, and any other reasonable restriction, condition or safeguard that would uphold the spirit and intent of the zoning ordinance, and mitigate adverse effect upon the neighborhood properties by reason of the use, extension, construction or alteration allowed as set forth in the findings of the planning commission.

Response: South Fork Water Board does not request any conditions to comply with the spirit and intent of the Zoning Ordinance or to mitigate effects on neighboring properties because, as this application shows, the proposal meets the standards of the Zoning Code. The proposal thus satisfies this criterion.

C. Any conditional use shall meet the dimensional standards of the zone in which it is to be located pursuant to subsection B. of this section unless otherwise indicated, as well as the minimum conditions listed below.

Response: The proposal meets dimensional standards of the R-10 zone, as demonstrated in the findings under Section 17.80.40 that follow.

D. In the case of a use existing prior to the effective date of the ordinance codified in this title and classified in this title as a conditional use, any change of use expansion of lot area or expansion of structure shall conform with the requirements for conditional use.

Response: No change in use is proposed. The public utility use has existed on this site since 1958. The proposal structural changes to the site comply with this criterion as demonstrated in South Fork Water Board's response to Subsection 17.56.010.

E. The planning commission may specifically permit, upon approval of a conditional use, further expansion to a specified maximum designated by the planning commission without the need to return for additional review.

Response: South Fork Water Board has refined this concept master plan to the best level of detail it can given the current information. However, the precise location of building footprints or exact number of square feet or number and species of landscape elements cannot be determined until the time of detailed building design. This information will need to be provided as part of the detailed development review, as required by the City. As long as future plans are in substantial conformance with this concept plan, the South Fork Water Board anticipates a streamlined Type II review.

17.56.020 - Permit—Application.

A. A property owner or authorized agent shall initiate a request for a conditional use by filing an application with the city recorder. The applicant shall submit a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. The application shall be accompanied by the filing fee listed in Section 17.50.[0]80 to defray the costs of publication, investigation and processing.

Response: South Fork Water Board submitted the required maps and site plans, application form, filing fee and supporting documents (project narrative, findings and appendices) required by the City.

B. Before the planning commission may act on a conditional use application, it shall hold a public hearing thereon, following procedure as established in Chapter 17.50.

Response: South Fork Water Board anticipates the City to schedule a public hearing after the City deems the land use application complete.

17.56.040 Criteria and standards for conditional uses.

In addition to the standards listed herein in Section 17.56.010, which are to be considered in the approval of all conditional uses and the standards of the zone in which the conditional use is located, the following additional standards shall be applicable:...

C. Public Utility or Communication Facility. Such facilities as a utility substation, water storage tank, radio or television transmitter, tower, tank, power transformer, pumping station and similar structures shall be located, designed and installed with suitable regard for aesthetic values. The base of these facilities shall not be located closer to the property line than a distance equal to the height of the structure. Hydroelectric generation facilities shall not exceed ninety megawatts of generation capacity.

Response: Table 3 shows the proposed new structures, their heights and dimensions. The majority of new development is below ground. Setbacks are greater than structure heights. South Fork Water Board will design new buildings to complement existing buildings and screen new development with trees and other vegetation. Hydroelectric generation facilities are not proposed. The proposal meets this criterion.

3. R-10 Development Standards (Subsection 17.80.040)

17.80.040 Dimensional standards.

Dimensional standards in the R-10 district are:

A. Minimum lot areas: ten thousand square feet.

Response: South Fork Water Board does not propose a land division as part of this application. Both existing lots are over 4.5 acres, thus the proposal complies with this standard.

B. Minimum lot width: sixty-five feet.

C. Minimum lot depth: eighty feet.

Response: Both lots are over 600 feet wide and at least 250 feet deep, thus the proposal complies with this standard.

D. Maximum building height: two and one-half stories, not to exceed thirty-five feet.

Response: As shown in Table 3, the tallest of the proposed new buildings (the Centrifuge Building and the Chemical Storage, Ozone Generator, & Standby Power Building) will be approximately 20 feet tall, thus the proposal complies with this standard.

E. Minimum required setbacks:

1. Front yard, twenty feet minimum setback,

2. Front porch, fifteen feet minimum setback,

3. Attached and detached garage, twenty feet minimum setback from the public right-of-way where access is taken, except for alleys. Detached garages on an alley shall be setback a minimum of five feet in residential areas.

4. Interior side yard, ten feet minimum setback for at least one side yard; eight feet minimum setback for the other side yard,

5. Corner side yard, fifteen feet minimum setback,

6. Rear yard, twenty feet minimum setback,

7. Rear porch, fifteen feet minimum setback.

F. Garage standards: See Chapter 17.20 – Residential Design Standards.

Response: **Figure 4** shows the required setbacks. As shown on **Figure 4**, the closest structure will be setback approximately 23 feet from the north property line. All structures will be set back at least 20 feet from the property lines, thus the proposal complies with this standard.

G. Maximum lot coverage: The footprint of all structures two hundred square feet or greater shall cover a maximum of forty percent of the lot area.

Response: The site is slightly less than 10 acres (approximately 435,600 square feet). The existing lot coverage is 113,135 square feet, or approximately 26 percent of the site. The proposed new development will add 59,070 square feet of development for a total of 150,260 square feet, or approximately 34 percent of the lot area, thus the proposal complies with this standard.

4. Tree Protection Standards (Chapter 17.41)

The intent of this chapter is to ensure that new development preserves trees to the maximum extent practicable. Compliance with this section of the code and the City's standards for mitigation will be confirmed at the detailed development plan phase. Figure 5 identifies "preserved areas" on the site where trees will remain for landscaping or natural resource reasons, unless an arborist identifies them as dying, diseased or hazardous. It also identifies future landscape areas, which will screen new buildings and soften the edges of the site in compliance with Subsection 17.62.050.A.1 (2010). Trees removed outside of these areas will comply with the mitigation ratios prescribed in Section 17.41.060 (2010). South Fork Water Board will submit tree removal and landscaping plans at the detailed development plan phase.

5. Geologic Hazards Overlay District (Chapter 17.44)

17.44.025 - When required; regulated activities; permit and approval requirements.

No person shall engage in any of the following regulated activities within the adopted Oregon City Geologic Hazards Overlay Zone without first obtaining permits or approvals as required by this chapter:

- A. Installation or construction of an accessory structure greater than five hundred square feet in area;*
- B. Development of land, construction, reconstruction, structural alteration, relocation or enlargement of any building or structure for which permission is required pursuant to the Oregon City Municipal Code;*
- C. Tree removal on slopes greater than twenty-five percent where canopy area removal exceeds twenty-five percent of the lot.*
- D. Excavation which exceeds two feet in depth, or which involves twenty-five or more cubic yards of volume;*

Response: City maps show that a portion of the southeast area of the site contains land with steep slopes (25 percent or greater). As shown on the site plan, all proposed development will be located far distant from any steeply sloped area. No disturbance in this area will occur. South Fork Water Board will completely avoid this area and any hazards associated with it. Because all development and disturbance is located outside of the mapped Geologic Hazards Overlay District, this section does not apply.

6. Natural Resource Overlay District (Chapter 17.49)

Response: A portion of the southeast area of the site is located within the Natural Resource Overlay District, which replaced the Water Quality Resources Area Overlay District (July 1, 2009). However, as shown on Figure 4, all development is located outside of the mapped feature.

The closest development to the NROD boundary is proposed new buried piping to the proposed new Solids Handling equipment, which is setback approximately 30 feet from the mapped NROD. As such, no soil or vegetation within the district will be disturbed. As documented in the 2007 staff report (CU 07-06/WR 07-28/SP 07-14) the area did not contain evidence of a perennial, intermittent stream or other protected water feature. The prior land use approvals listed above conformed to the City's former Water Quality Resource Area Overlay District. Like the prior approvals, construction activity will occur outside of the mapped feature.

7. Parking Requirements (Chapter 17.52)

17.52.010 - Number of spaces required....

Response: The parking requirements in Subsection 17.52.010, are based on spaces per 1,000 square feet gross of leasable area. Due to the nature of the buildings on site, there is no "leasable area." The "office" part of the building square footage on site makes up about 2,000 square feet of the headworks building. At the code minimum of 2.7 spaces per 1,000 square feet, this would result in a requirement of 6 spaces. Currently, eight employees work at the treatment plant. The existing parking lot provides parking for approximately 10 vehicles, which has proven to be adequate to meet parking demand. As discussed in the response to Subsection 17.65.50.C.2, the development will not result in a net increase in employees. Thus, it is reasonable to conclude that the existing parking supply is adequate to handle future demand and the proposal meets the intent of this requirement.

17.52.040 - Carpool and vanpool parking....

Response: Subsection 17.52.040 applies to new office and industrial developments with 75 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. Therefore, this subsection does not apply to the proposal.

17.52.050 - Bicycle parking-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 of the following uses:...

B. Retail and Office Development
C. Industrial development;

Response: The water treatment plant qualifies either as office or industrial development and is therefore subject to this subsection.

17.52.060 – Bicycle parking standards.

A. Bicycle parking spaces shall be provided for the uses described in Section 17.52.050, in the amounts specified in Table A. 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 17.52.010 for determining automobile parking space requirements...

| TABLE A Required Bicycle Parking Spaces* | |
|--|----------------------|
| USE | BICYCLE PARKING |
| Bank, office | 1 per 20 auto spaces |

Response: The site has no formal bicycle parking spaces; however, there is ample room for employees to park their bikes. The only building onsite with the potential to generate employees/bicycle use is the administration building, which is an office use. Because the number of onsite auto spaces falls below the 20-space threshold for office use, shown in Table A, the development is not required to include bicycle spaces. However, South Fork Water Board will install two bicycle parking spaces.

17.52.070 - Pedestrian access in off-street automobile parking areas.

Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and development standards within Section 17.62.050A.7 of the Oregon City Municipal Code.

Response: The City's TSP calls for curb, gutter and sidewalks along both sides of South Swan Avenue (from Holcomb Road to Forsythe Road). It also identifies this road "to be signed" as a bike route. Per 17.62.050.A.8, the community development director may waive Subsection 17.52.070 requirements if there is no probable need or if there are comparable alternative provisions for pedestrians.

The north side of Thurman Street and a portion of the east side of South Swan Avenue have curbs and sidewalks. These improvements offer a route for pedestrians walking along these streets. Currently, there are no sidewalks on the west side of Swan Avenue, south side of Thurman Avenue, or east side of South Hunter Avenue.

As part of this application, South Fork Water Board has not proposed any improvements to the surrounding transportation facilities. The level of impacts

(vehicular, bicycle, and pedestrian trips) generated by the proposed development is very low. Quantified impacts constitute less than three truck trips per week, all at off-peak hours. Volumes on all of the immediately surrounding streets are very low. City-required improvements to public infrastructure must be “roughly proportional” to impacts created by new development.

At the same time, South Fork Water Board is interested in being a good neighbor and working with the City to help it meet its long-term transportation goals. As an example, South Fork Water Board recently dedicated 11,000 square feet of property to the City for future right of way in 2007 – 11 feet along its Swan frontage, and 7.5 feet along its Thurman frontage.

17.52.090 - Parking lot landscaping.

B. Development Standards. *Parking lot landscaping is required for all uses, except for single- and two-family residential dwellings...*

Response: South Fork Water Board will submit a landscape plan at the detailed development review phase, as required by Chapter 17.62, Site Plan and Design Review. The City will confirm compliance with parking lot landscaping development standards at that time. The proposal can meet these standards.

8. Conclusion

The facility upgrades outlined in this application will allow South Fork Water Board to meet the community’s future water demands and replace outmoded and aging infrastructure. This Concept Master Plan sets out an approach to the development at the site, phased over the next 20 years. It identifies potential impacts from new development and proposes implementation of mitigation measures concurrent with new construction.

When specific phases of development are fully funded and ready for construction, South Fork Water Board will file a detailed development plan application. To insure that the commitments in the application are carried over to the detailed development plan phase, it proposes the following conditions of approval:

1. As part of the each detailed development plan application, the applicant will notify the Park Place neighborhood association prior to submittal, and offer to meet with the interested neighbors prior to the City issuing its decision.
2. All new noise-generating process equipment will be in enclosed and/or soundproofed buildings. Any new equipment will meet Oregon DEQ regulations that limit noise (OAR 340-035).

3. Chemicals used in the treatment process will be stored inside enclosed buildings. Chemicals will be transported and stored in compliance with all state and federal regulations.
4. No master plan development is proposed to occur within currently mapped NROD areas. Prior to any development on site that occurs within 100 feet of the city's NROD overlay, the applicant will install orange construction fencing at the outer boundary of the overlay to prevent any accidental incursion into this area of the site.
5. Landscaping will be installed in the areas between proposed buildings and property lines as shown on Figure 5. Future landscaped areas will comply with Subsection 17.62.050.A.1 (2010). The landscaping plan will 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. Areas disturbed by construction of new structures or underground pipes will be revegetated.
6. Trees will not be removed from preserved areas, as shown on Figure 5, unless a licensed arborist determines that they are diseased, dying or hazardous, or as modified through a detailed development plan application. Trees removed outside of the preserved areas will be replaced at the ratio prescribed in Section 17.41.060 (2010).

With the proposed conditions, the development proposed in this master plan application meets all the applicable standards and criteria in the City Code.

City of Oregon City Pre-Application Conference Summary

Pre-application conferences are required by Section 17.50.030 of the City Code, as follows:

- (A) PURPOSE: The pre-application conference is to provide the applicant the necessary information to make an informed decision regarding their land use proposal.
- (B) A pre-application conference is required for all land use permits.
- (C) Time Limit: A pre-application conference is valid for a period of six (6) months.
- (D) An omission or failure by the Planning Division to provide an applicant with relevant information during a pre-application discussion shall not constitute a waiver of any standard, criterion, or requirement of the City of Oregon City. Information given in the conference is subject available information and may be subject to change without notice. *NOTE: The subsequent application may be submitted to any member of the Planning Staff.*

=====

PRE-APP # 10-06 / DATE: 3/30/2010

APPLICANT: South Fork Water Board

SITE ADDRESS: 2-2E-21CD -00500 and 2-2E-28BB-00100

PROPERTY DESCRIPTION: _____

STAFF: PW, BC, GS ZONING: R 10

PROPOSED USE/ACTIVITY: Master Plan / Detailed Development Plan / Conditional Use

INFORMATION NECESSARY TO BEGIN DEVELOPMENT: This listing of information does not preclude the Community Development Department or hearings body from requesting additional data necessary to make a recommendation and/or decision regarding the proposed activity.

1. PLANNING

- ☐ Zoning/ Setbacks See ~~17.29 and 17.16~~ 17.08 & CU Building Openings.
- ☐ Is the Site in a Water Resource Overlay District? (Yes or No) Yes
- ☐ Is the Site in a Historic Overlay District? (Yes or No) No
- ☐ List of Minimum Required Planning Processes:

- ☐ OCMC 17.50 - Administrative Processes
- ☐ OCMC 17.65 - Master Plans
- ☐ OCMC 17.65 - Detailed Development Plan
- ☐ OCMC 17.56 - Conditional Use
- ☐ OCMC 17.08 - R-10 - Single Family Residential District
- ☐ OCMC 17.49 - Natural Resource Overlay District (Prior Exemption)
- ☐ OCMC 12.04 - Street, Sidewalks and Public places
- ☐ OCMC 12.08 - Public and Street Trees
- ☐ OCMC 17.41 - Tree Protection Standards
- ☐ OCMC 17.62 - Site Plan and Design Review
- ☐ OCMC 17.52 - Off-Street Parking and Loading
- ☐ OCMC 17.54 - Supplemental Regulations (Fences and Accessory Structures)

OCMC
17.44 - N.K.
Nancy Kravshaar
review for
building at
top of slope.

Other: 17.65.070 Adjustments to Development Stds. for
adjustments from Street Design Stds - Section 12.04
show how requirements for Homeland Security can meet
approval requirements of 17.65.070(D).

2. DEVELOPMENT SERVICES

- A. Grading: Per OCME 15.48
B. Drainage: Per OCME 13.12 Detention (WQ)
C. Sanitary Sewer: 10' Hunter/Kurman/Swan
D. Water: Ditto for H₂O
E. Right-of-Way Dedication/Easements: _____
F. Street Improvements (including continuation of existing streets within subdivisions): ~~10' Con~~ - 1/2 street plus 10' Con Hunter, Swan, + Kurman. See sketch
I. TSP compliance (Connectivity, Street Widths, etc.): TAL

Other: _____

3. BUILDING

- A. Proposed Construction Type: _____
B. Number of Stories: _____
C. Square Footage: _____
D. Number of Buildings: _____
E. Type of Occupancy: _____
F. Fire Sprinklers: _____
G. Valuation (estimate): \$ _____
H. Fire/Life Safety Required: Yes _____ No _____

4. FIRE

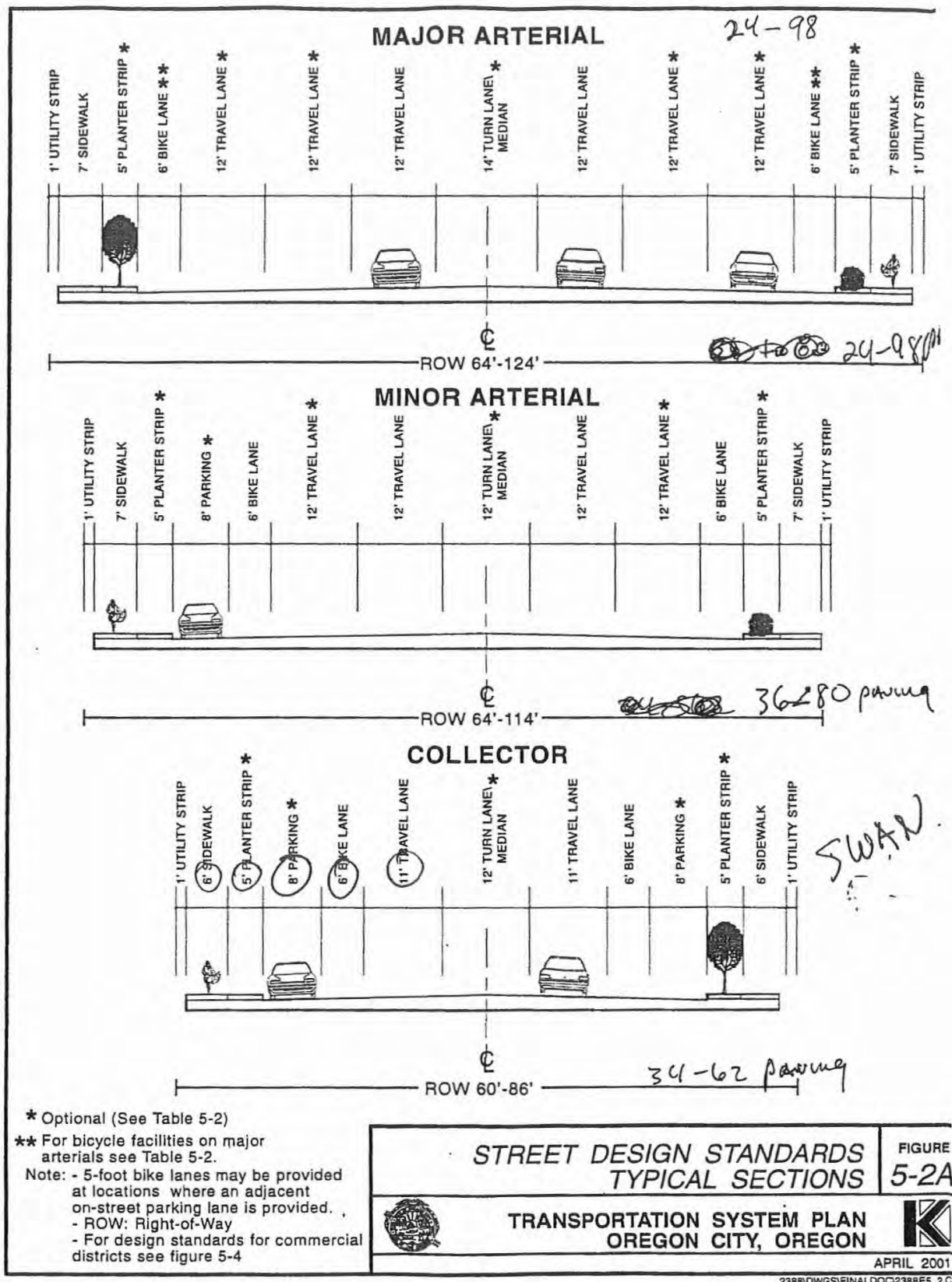
- A. Fire Flow Requirements (gallons per minute): _____
B. Location/Number of Hydrants: _____
C. Access Requirements: _____
D. Other: _____

OTHER COMMENTS: As noted in meeting

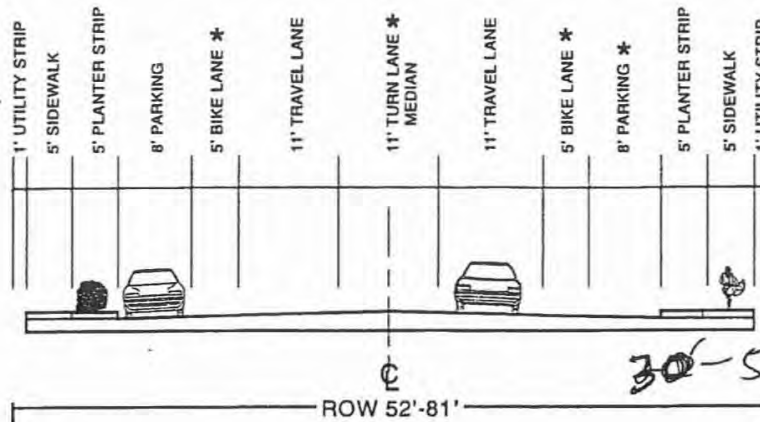
NOTICE TO APPLICANT: A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required.

Swan Avenue is classified as a Collector in the Oregon City Transportation System Plan, which requires a pavement width of 34 to 62 feet. Currently, Swan Avenue has a pavement width of approximately 16 feet along the site's narrow frontage. The City will require improvement along the site's frontage with Swan Avenue to include paving to the centerline and then 10 feet past the centerline of Swan Avenue. The improvements on the applicant's side of the centerline includes, but is not to be limited to, base rock, paved street width of 25 feet, (11-foot travel lane, 6-foot bike lane, and an 8-foot parking lane), curb and gutter, 4½-foot planter strip, 6-foot concrete sidewalks adjacent to the curb, city utilities (water, sanitary and storm drainage facilities), curb return radii, curb (handicap) ramps, centerline monumentation in monument boxes, traffic control devices, street trees, and street lights. A green street design is encouraged which would

The City requires 35.5 feet from centerline; therefore, applicant shall dedicate ROW to provide 35.5 feet from centerline.



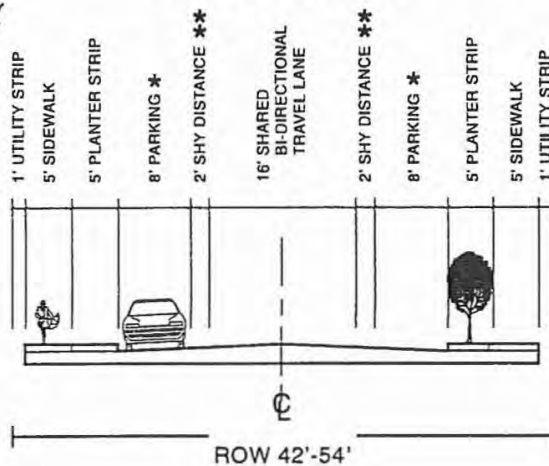
NEIGHBORHOOD COLLECTOR



30-59' Agreement

LOCAL STREET

Row
Hunter - need 6.5'
Thurman - OK



Hunter &
Thurman
No sidewalk
on Thurman
or Hunter
due to
security.
Hunter to
have full
32' width
of AL to
allow peds/
bikes an
area to
walk.

* Optional (See Table 5-2)

** Not required if adjacent parking lane is provided.

Note: - 5-foot bike lanes may be provided at locations where an adjacent on-street parking lane is provided.

- ROW: Right-of-Way

- If paved width is less than 28 feet, sign parking for one side of roadway and for passenger vehicles only.

- For design standards for commercial districts see figure 5-4.

FIGURE
5-2B

STREET DESIGN STANDARDS
TYPICAL SECTIONS



TRANSPORTATION SYSTEM PLAN
OREGON CITY, OREGON



APRIL 2001

2388DWGSFINAL.DOC2388F5_2b.CDR



MEMORANDUM

To: File
From: Ben Schonberger, AICP
Date: May 12, 2010
Re: **South Fork Water Board Master Plan Update
Notes from May 6 Neighborhood Meeting**

Location: South Fork Water Board water treatment plant, 15962 S. Hunter Avenue, Oregon City

Time: 6-7 pm

Attendees:

Carter Stein, Park Place Neighborhood Association

Nancy Walters, Park Place Neighborhood Association

Steve VanHaverbeke, Park Place Neighborhood Association

Linda VanHaverbeke, Park Place Neighborhood Association

John Collins, South Fork Water Board

Pete Kreft, MWH

Andrew Nishihara, MWH

Adam Odell, observer

Ben Schonberger, Winterbrook Planning

Introduction

This meeting was held to present the 20-year conceptual plan for expanding the WTP to meet the needs of the SFWB service area. The proposed improvements and site plan were developed in the draft WTP Facility Plan (April 2010) which served as the basis for discussions with the neighbors.

Winterbrook Planning
310 SW Fourth Avenue, Suite 1100
Portland, OR 97204
503.827.4422 ■ 503.827.4350 (fax)
ben@winterbrookplanning.com

Neighbor questions and ideas during and after presentation:

1. What is the capacity of the plant?

The WTP can currently produce a maximum of 22 million gallons per day (MGD), expanding to 30 MGD, then 40 MGD by the end of the 20 year timeframe of master plan. The current capacity is limited by the 27-inch raw water pipeline from the Clackamas River Intake. A new 42-inch raw water pipeline is required to increase the capacity of the water treatment and supply system, in addition to improvements at the plant.

2. Will the proposed new building for chemical storage be screened?

Yes. Vegetative screening is proposed.

3. How tall will the building for chemical storage be?

Currently planned for 2 stories.

4. What chemicals will be stored inside the new building?

All chemicals stored inside the building will be non-hazardous liquids or dry products (no gases or combustibles), including: 1) Salt (to produce liquid sodium hypochlorite on-site), 2) low-strength sodium hypochlorite solution, 3) aluminum sulfate (liquid alum), 4) liquid cationic polymer, and 5) dry sodium carbonate (soda ash). When the proposed new ozone system is added as part of the expansion to 40 MGD, two new liquid oxygen (LOX) tanks will be installed immediately outside of the chemical building.

5. Where will vehicular access be?

Vehicular access to the site will be basically unchanged. The primary access will be at same place on Hunter Avenue frontage. A secondary access point further south along Hunter Avenue (which is currently gated) will be used for infrequent solids disposal truck traffic.

6. Where is .02 acres that SFWB deeded to city in 2007?

Skinny strip along Hunter, maybe also other frontage—need to check.

7. How much of the Clackamas River flow is diverted to SFWB for treatment?

All regional drinking water authorities combined (including SFWB, Lake Oswego, North Clackamas County Water Commission, and Clackamas River Water) use less than 5% of the total flow even during low water conditions. River flows and withdrawals are regulated to maintain minimum values to protect fish and the general river environment.

8. What is process for removing sediment?

Pete Kreft explained the coagulation, flocculation and sedimentation process which removes most of the suspended solids (sediment) from the water prior to filtration. Coagulation chemicals (alum and polymer) need to be added to make sure the naturally-occurring silts in the water are able to settle and be filtered to produce clean drinking water. The sediment/solids that are produced at the WTP are relatively inert, but do have a moderately-high concentration of aluminum due to the addition of alum coagulant.

9. Why not make leftover sediment into something useful? (Point about re-purposing “waste” into another use.)

It is possible to use the plant sediments as a soil amendment, but the moderately-high aluminum content makes the product not as ideal as clean dirt. Can be used as fill, or as landfill cover. Other regional water treatment facilities have tried to sell their sediment or encourage green uses with limited success..

10. Can you reduce or eliminate use of chemicals in water treatment?

These types of conventional water treatment plants require the addition of particular chemicals to successfully treat the water to meet federal and state drinking water standards. The conventional treatment process used at the SFWB plant is similar to how most of the drinking water is produced in this country. Over the past 10 years, the SFWB has been able to dramatically reduce the amounts of chlorine and alum that are added to treat the water by optimizing the treatment process and by using an alternative coagulant chemical (cationic polymer). SFWB is willing and eager to implement any future technology that would further reduce (or possibly eliminate) the use of certain chemicals, and which would reduce costs, as long as safe drinking water can still be produced.

11. What is being changed to intake pipe? What would impacts be?

As noted above, a new 42-inch raw water pipeline is planned to be built from the Clackamas River Intake to the WTP to replace the old 27-inch pipeline. The existing pipeline is over 50 years old, is too small to carry higher flows, and is vulnerable to damage in its current alignment. There will be short-term construction impacts while laying the new pipe, including a short segment along Hunter Avenue. During construction, there will be some traffic and noise impacts that are not expected to last for more than 1 to 2 weeks.

12. Could off-site SFWB property closer to river have a drinking fountain, or be used as a park?

The SFWB is currently reserving the property as a future site for a new administrative office/meeting facility. A fountain is possibility. The property is in unincorporated Clackamas County, and is not part of current master plan proposal which only address the WTP site.

13. Why not solar power? (Lots of interest from attendees)

It will be difficult to make solar power cost-effective with the limited available open space on the site, but there are many potential locations to implement small-scale solar power, such as on the roofs of existing or new buildings or other structures.. Can limit landscaping and planting choices to maximize solar collection.

14. The attendees Appreciate SFWB for being a good neighbor and communicator.

Text of Meeting Invitation:

“The South Fork Water Board proposes to expand and improve its existing water treatment facility located on Hunter Avenue. New facilities to be constructed include new sedimentation basins, new filtration systems, underground piping, a remodeled operations building, and various other process equipment. The work will be constructed in three phases over the next 20 years. Phase 1 would include a new flocculation/sedimentation basin, a building for storing water treatment materials, two new filters, and a remodel of the operations building. Phase 2 would build a mechanical system (centrifuge) for processing the sediment that results from the treatment process. Phase 3 would add two more flocculation/sedimentation basins, an ozone contact basin, and a standby power generator which would allow the facility to provide up to 40 million gallons per day.

The meeting will be informal, and the intent is to introduce neighbors to the proposal and answer questions. The agenda is:

1. Welcome and introductions.
2. Review of expansion plans, including graphics
3. Walking tour of SFWB site

I don't expect it will take more than an hour. Feel free to invite anyone you think would be interested. Call me if you have any questions. Thanks!”



COMMUNITY
RESOURCE
PLANNING

Planner _____

Project _____

Date _____

☐ Research

☐ Phone conference

☐ Meeting

Participants _____

Distribution _____

Action Items _____

SFWB Master Plan, meeting

Name

Address

Ben Schenkager
Winter Brook Planner

310 SW 4th Ave #100 PDX, 97204

Nancy Walters
PPNA

15079 ARMEL DR. OREGON CITY OR 97045

P.O. Box 2526 O.C. 97045

Linda VanHaverbeke
PPNA

Stephen VanHaverbeke P.O. Box 2526 OC 97045
PPNA

Carter Stein
PPNA

15079 ARMEL DR paulcarterstein@gmail.com

John Collins
SFWB

Adam Odell
37351 SE Olson St
SANDY, OR 97055

COMPLETE THIS SECTION

Items 1, 2, and 3. Also complete Restricted Delivery if desired. Name and address on the reverse can return the card to you. Card to the back of the mailpiece, only if space permits.

Delivered to:

Geil
Chair
Trailview Drive
Oregon City, OR 97045

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee
X *Tom Geil*

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7008 3230 0000 3525 8262
August 2001 Domestic Return Receipt 102595-01-M-2509

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CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OREGON CITY, OR 97045

OFFICIAL USE

| | | |
|--|---------|---------------|
| Postage | \$ 0.44 | 0004 |
| Certified Fee | \$2.80 | 05 |
| Return Receipt Fee (Endorsement Required) | \$2.30 | Postmark Here |
| Restricted Delivery Fee (Endorsement Required) | \$0.00 | 05/03/2010 |
| Total Postage & Fees | \$5.54 | |

Sent To *Tom Geil*
Street, Apt. No., or PO Box No. *16420 Trailview Drive*
City, State, ZIP+4 *Oregon City, OR 97045*

PS Form 3800, August 2006 See Reverse for Instructions

COMPLETE THIS SECTION

Items 1, 2, and 3. Also complete Restricted Delivery if desired. Name and address on the reverse can return the card to you. Card to the back of the mailpiece, only if space permits.

Delivered to:

Vanhaverbeke
Place Nbrhd Assoc.
Box 2526
Oregon City, OR 97045

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☐ Addressee
X *Steve Vanhaverbeke*

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7008 3230 0000 3525 8286
August 2001 Domestic Return Receipt 102595-01-M-2509

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OREGON CITY, OR 97045

OFFICIAL USE

| | | |
|--|---------|---------------|
| Postage | \$ 0.44 | 0004 |
| Certified Fee | \$2.80 | 05 |
| Return Receipt Fee (Endorsement Required) | \$0.00 | Postmark Here |
| Restricted Delivery Fee (Endorsement Required) | \$4.50 | 05/03/2010 |
| Total Postage & Fees | \$7.74 | |

Sent To *Steve Vanhaverbeke*
Street, Apt. No., or PO Box No. *PO Box 2526*
City, State, ZIP+4 *Oregon City, OR 97045*

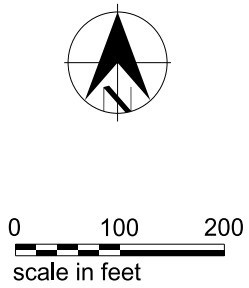
PS Form 3800, August 2006 See Reverse for Instructions



0 250 500
scale in feet



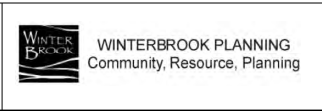
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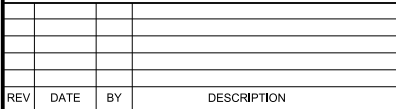
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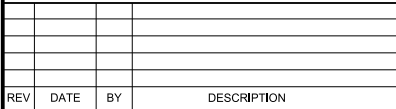
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| PRELIMINARY - DRAFT |
| NOT FOR CONSTRUCTION |
| <small>This document is an interim document and not suitable for construction. As an interim document, it may contain data that is potentially inaccurate or incomplete and is not to be relied upon without the express written consent of the preparer.</small> |



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|---|
| SOUTH FORK WATER BOARD CONCEPT MASTER PLAN & CONDITIONAL USE AERIAL PHOTO |
|---|

| |
|-------------|
| FIGURE 2 |
|-------------|







NOTES:

1. Future landscaped areas will comply with Subsection 17.62.050.A.1 (2010). The landscaping plan will 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.

2. Trees will not be removed from preserved areas unless a liscensed arborist determines that they are diseased, dying or hazardous, or as modified through the detailed development plan.

3. Trees removed outside of the preserved areas will be replaced at the ratio prescribed in Section 17.41.060, shown below (2010).

| Size of tree removed (DBH) | Column 1 Number of trees to be planted. (If removed Outside of construction area) | Column 2 Number of trees to be planted. (If removed Within the construction area) |
|----------------------------|---|---|
| 6 to 12" | 3 | 1 |
| 13 to 18" | 5 | 2 |
| 19 to 24" | 8 | 3 |
| 25 to 30" | 10 | 4 |
| 31 and over" | 15 | 5 |

LEGEND:

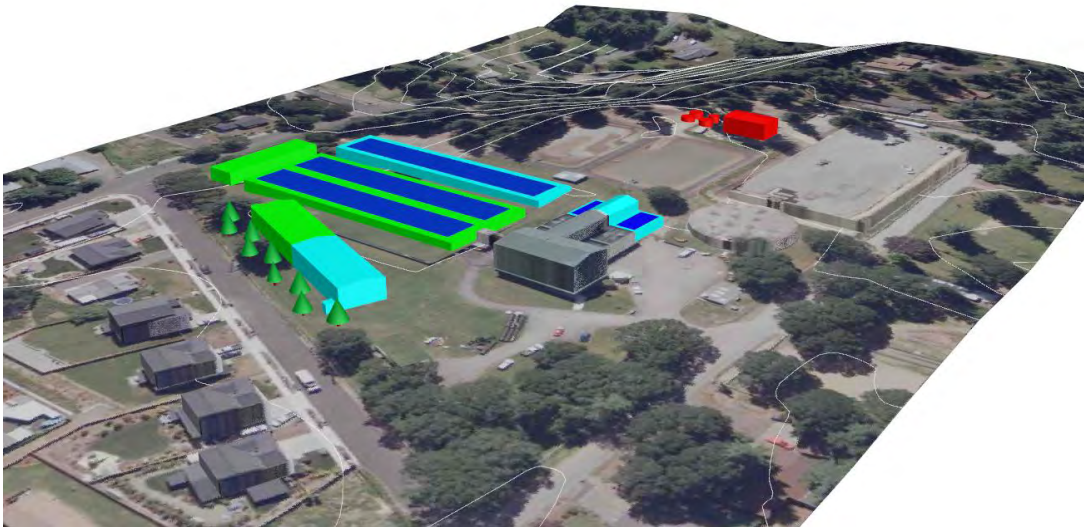
DEVELOPMENT BOUNDARY

PRESERVED AREAS

FUTURE LANDSCAPED AREAS

Supplemental Findings

South Fork Water Board Water Treatment Plant



Prepared for the:
South Fork Water Board

Prepared by:
Winterbrook Planning
310 SW Fourth Avenue, Suite 1100
Portland, Oregon 97204

In collaboration with:
MWHAmericas, Inc.

FEBRUARY 4, 2011

General Information

| | |
|-----------------------------|---|
| Owner/Applicant: | John Collins, General Manager South Fork Water Board 15962 South Hunter Avenue Oregon City, Oregon 97045 Phone: (503) 657-5030 johnnc@sfwb.org |
| Representative: | Ben Schonberger, AICP Winterbrook Planning 310 Southwest Fourth Avenue, Suite 1100 Portland, Oregon 97204 Phone: (503) 827-4422 ben@winterbrookplanning.com |
| Site Address: | 15962 South Hunter Avenue |
| Tax Number: | 2-2E-21CD-02500 and 2-2E-28BB-00100 |
| Site Acres: | Slightly under 10 acres |
| Zoning: | Residential 10,000 (R-10) |
| Comprehensive Plan: | Residential – Low Density |
| Neighborhood Assoc.: | Park Place |
| Application: | Conditional Use / Concept Master Plan with Adjustments |
| Procedure Type: | Type III |
| Pre-Application No.: | 10-06 (Date of Meeting: March 30, 2010) |
| Proposal Summary: | The South Fork Water Board requests approval of a Conditional Use and Concept Master Plan to upgrade an existing water treatment facility. The proposed development will increase plant capacity from 22 million gallons per day (“mgd”) to 40 mgd and will update outdated technology. |

Table of Contents

| | |
|---|----------|
| SECTION 1: SUPPLEMENTAL INFORMATION | 1 |
| 1. Adjustments..... | 1 |
| 2. Lot status | 1 |
| 3. Right of Way Dedication and Improvements | 2 |
| SECTION 2: ADJUSTMENT FINDINGS | 5 |
| Fence Height | 5 |
| Fence Materials..... | 8 |
| Pedestrian Accessways..... | 10 |
| Interior Parking Lot Landscaping | 13 |
| Design Standards for New Buildings..... | 15 |
| Sidewalk and Street Improvements | 18 |

SECTION 1: SUPPLEMENTAL INFORMATION

1. Adjustments

The South Fork Water Board (SFWB or Board) requests a number of adjustments as part of its master plan application, originally submitted to Oregon City in September 2010. The goal of these adjustment requests is to address 20-year future needs of the facility, without requiring unnecessary review by the Planning Commission post-approval. The master plan chapter of the Oregon City Municipal Code provides a process for requesting adjustments from development standards as part of the general development plan.

Briefly, the requested adjustments are:

1. Allowing the existing perimeter fence to remain (both in height and material).
2. No unnecessary pedestrian ways between process buildings.
3. No interior parking lot landscaping to allow truck maneuvering.
4. Waive commercial design standards for industrial buildings, including window placement and lighting.
5. Modification of sidewalk and street standards.

In general, these standards are unnecessary or inappropriate for the site given the current and proposed future nature of the use. Many of these current standards are in conflict with existing development. The existing, legal, non-conforming development has been in place for many years. Changes, to the height of the perimeter fence, for instance, would only be needed as part of non-conforming upgrades.

The property has an unusual status: it is zoned residential and much of it appears as park/open space, but water treatment activities on the site are similar to industrial processes. The current proposal retains the character of the site as a public utility use for water treatment with an open space feel. In order to maintain the current and successful approach to site design and character, the applicant requests several adjustments.

2. Lot status

On the advice of City staff, the applicant contacted Clackamas County's cartography department to determine the status of the two separate tax lots that make up the South Fork Water Board property. As confirmed by the County, these lots are for tax purposes only and were conveyed to SFWB in the 1950s on a single deed. The arbitrary dividing line that creates the two tax lots exists because it is on a Section line, 21CD and 28BB.

For land-use purposes, this tax lot boundary does not represent a property line. Therefore, it is not subject to setback or buffering regulations.

3. Right of Way Dedication and Improvements

In the pre-application materials and through discussions with City staff, the City has indicated that it will require improvements on all three street frontages abutting the SFWB property. The most significant request is to Swan Avenue, which is designated as a collector street in the City's Transportation System Plan. The City's plan for improvements on this frontage includes sidewalks, planter strips, parking, bike lanes, and travel lanes per **Figure 1**. To achieve this, additional SFWB property would have to be dedicated to the City.

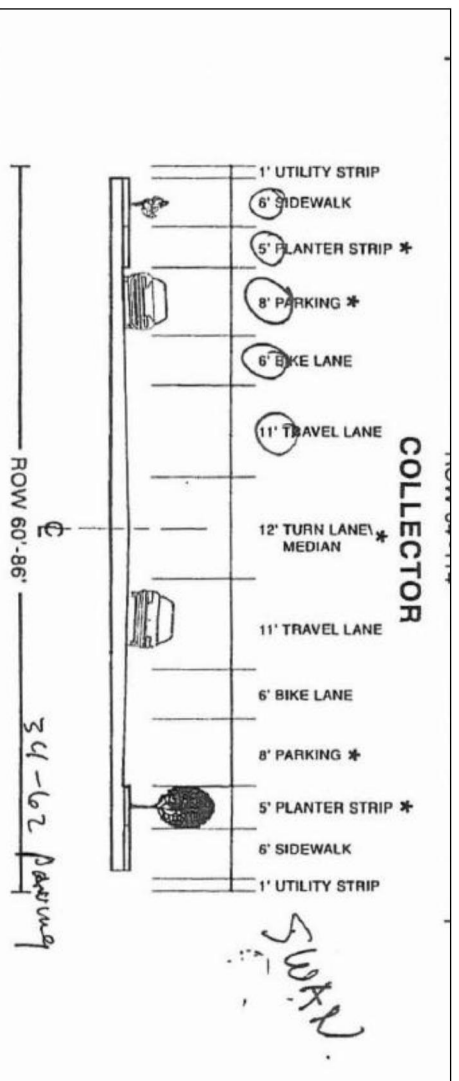


Figure 1. Annotated road section drawing for Swan Avenue from pre-application conference notes.

For the other two frontages along the SFWB property, Hunter Avenue and Thurman Street, the City's plan for improvements call for sidewalks, planting strips, and parking on both sides per **Figure 2**. All of these improvements would require SFWB to dedicate some of its land to the City. Currently, Hunter Avenue does not have sidewalks on either side. Thurman Street has a full sidewalk and curb on the opposite side of the street from the SFWB property.

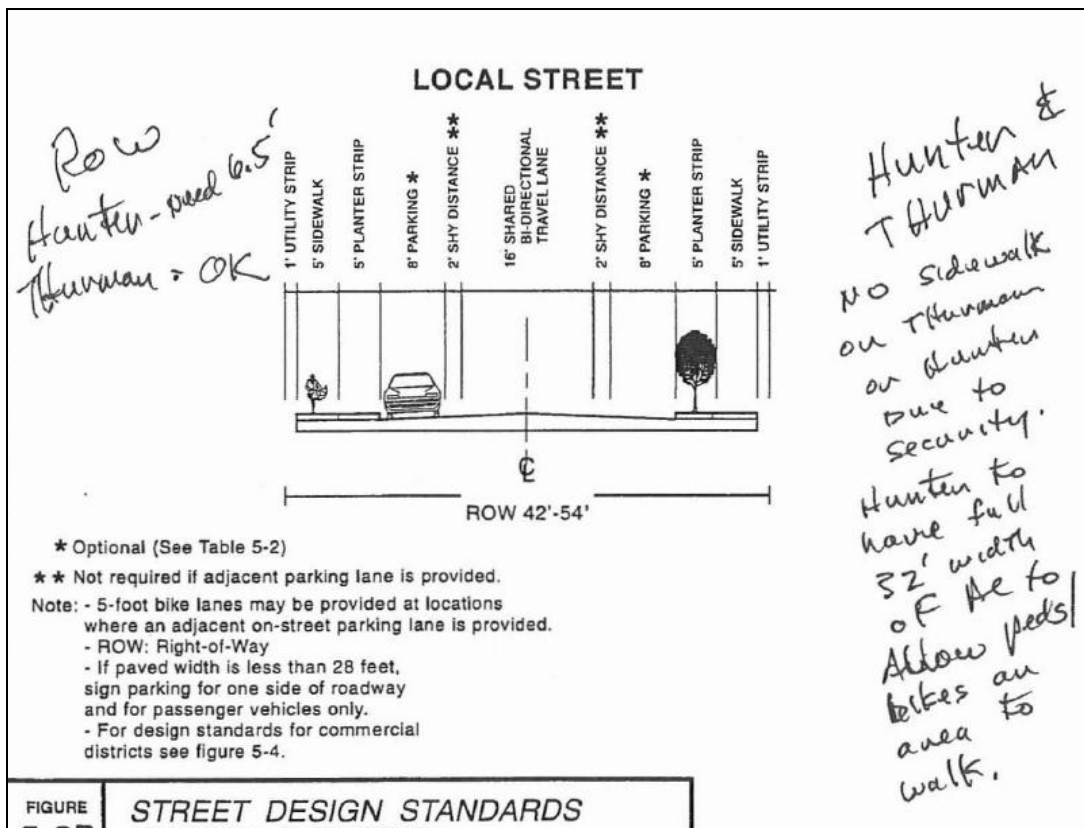


Figure 2. Annotated road section drawing for Hunter Ave. and Thurman St. from pre-application conference notes.

Prior to its application for a conditional use permit in 2007, SFWB donated to the City 0.27 acres of its land, on two of its frontages, that would allow the City to make future right-of-way improvements. This dedication consisted of 7.5 feet along Thurman St., and 11 feet along Swan Ave. Improvements like the ones shown in **Figures 1 and 2** would require even more land.

The traffic analysis that accompanied the application for the concept master plan, dated September 8, 2010, determined that the total transportation impact of the master plan at full build-out will be 9.5 additional vehicle trips per week. This is an insignificant addition to the local transportation system. The pedestrian impacts of the proposed improvements to the system are virtually zero. Consequently, SFWB does not believe it is legally defensible for the City to exact land to widen the three street frontages, and to require SFWB to pay the significant costs associated with wider streets, sidewalks and street trees. At the same time, the SFWB does not object to neighborhood improvements and wants to do its fair share to work with the City on providing adequate transportation improvements.

A second concern about the requested improvements is the security risk associated with installing full sidewalks adjacent to a sensitive facility for drinking water treatment. Encouraging people and/or vehicles to be closer to the buildings and process equipment that treats water for a large population could be an unacceptable security risk.

The South Fork Water Board wants to be a good neighbor to its surrounding residents, and work with the City to upgrade the transportation infrastructure. With this in mind, it proposes an adjustment to the City's street standards that allows it to improve the pedestrian experience, without unfairly impacting the site. In fact, the site plan standards specifically allow the sidewalk and curb standards to be waived, without an adjustment, "in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made." (17.62.050.A.8) That is the case in this particular situation.

The SFWB proposes the following improvements:

- Hunter Avenue: Expansion of paved width to 32 feet (no sidewalk), and corresponding dedication of land.
- Thurman Street: No changes. Full sidewalk on opposite side serves pedestrians.
- Swan Avenue: Improvements and dedication of land to achieve the City's "collector" standard.

All improvements are proposed to occur in Phase 2 of the master plan, which is anticipated to be before 2020. Specifically, the improvements would be made concurrent with the construction of the two-story centrifuge/solids dewatering building. The SFWB could either build the streets and sidewalks itself or pay a "fee-in-lieu" per the City's process. Overall, these improvements would be a significant upgrade to the abutting streets, especially considering the trivial transportation impacts generated by proposed site development. The requested adjustment to street standards is a reasonable approach to improving the surrounding transportation system.

SECTION 2: ADJUSTMENT FINDINGS

General standards from the adjustment section of the master plan chapter are addressed for all the adjustments. Approval criteria are addressed separately for each requested adjustment.

17.65.070 - Adjustments to development standards.

- 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.
- 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.
- 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.

Response: The purpose section is addressed for each adjustment request under the first approval criteria listed under section D.1. The adjustment requests are processed concurrently with the rest of the master plan application. None of the adjustments request a use other than the permitted conditional use (public utility), are for something that is "prohibited" without exception, or ask for an exception to a threshold review.

Fence Height

City code typically restricts fence height to 3.5 feet if it is within forty feet of public right-of-way. At the SFWB site, the perimeter security fence fronting Swan, Thurman, and Hunter Avenues is approximately six feet high.

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 17.54.100.B. (17.54.100)**

This adjustment requests a modification to the above regulation to allow the existing fence to remain, and to allow a fence of the same height to remain if, for any reason, the existing fence needs to be removed or replaced.

The water treatment plant is an essential facility for providing basic services to a large number of residents in the area. Maintaining a protected perimeter is required, and the fence is part of a site security plan. This plan is a requirement of and coordinated with the federal Department of Homeland Security. Reducing fence height to 42 inches (3.5 feet) would not serve the primary purpose of preventing trespass.

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.

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

Response: Section 17.54 does not have a purpose section. The presumed purpose of limiting fence height is for aesthetic reasons. The existing fence is a feature of the site that has been in place for several decades and does not have a negative effect on neighborhood appearance. SFWB has never received a complaint about the fence height. In addition, as an essential facility for providing safe, clean drinking water to City residents, and adequate water for fire-fighting purposes, the treatment plant must be secure from trespass. The fence minimizes visual impacts as much as possible while still creating a satisfactory barrier to intrusion.

- 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;**

Response: Multiple adjustments are requested as part of this master plan proposal. They include: Allowing the existing perimeter fence to remain; No unnecessary pedestrian ways between process buildings; No interior parking lot landscaping to allow truck maneuvering; Waive commercial design standards for industrial buildings, including window placement and lighting; and modification of street and sidewalk

requirements. The cumulative effect of these adjustments will be very minor. This particular adjustment will result in no change to the current appearance of the site, and the overall project will have a minimal change to the site's appearance and character.

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

Response: Allowing the existing fence to remain at its current height will have no impact on any Goal 5 resources. There are no known or mapped historic or cultural resources within the proposed development boundary. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program. The proposed development will entirely avoid the mapped resource. Because the proposed development is completely outside of the mapped resource and its buffer zones, the proposal complies with the requirements of this chapter.

4. Any impacts resulting from the adjustment are mitigated;

Response: There are no impacts that result from the adjustment. The fence has been at this height for many decades, and the request is simply to allow the continuation of the existing fence, and to allow it to be replaced by a fence of the same height if it becomes damaged or worn.

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

Response: The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program. Allowing for additional fence height has no impact on the resource values on this area of the site.

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

Response: In the main application, the narrative addressed applicable Comprehensive Plan policies. As shown, the proposal is consistent with these policies and will help to directly meet the intent of Goals 11.1 (Provision of Public Facilities) and 11.3 (Water Distribution) and Policy 11.3.2 (collaboration with the South Fork Water Board). The request to adjust the maximum fence height is consistent with these policies.

Fence Materials

A detailed development plan application must respond to all the Site Plan and Design Review standards, unless specifically adjusted. (17.65.06.B.3). One of these standards lists "chain link fencing" as "prohibited in visible locations unless an exception is granted by the Community Development Director." (17.62.055.A.21.b.iv) The existing fence, which has been in place for many years, is chain link. This adjustment requests an exception, as allowed by the code, so that the existing fence can remain, and could be replaced with a comparable fence if necessary in the future. The applicant would accept a condition of approval that when the property owner replaces the fence, it will use a black vinyl-coated or powder-coated chain link material to increase visual transparency.

In addition, the fence has a dual strand of barbed wire at the top for security purposes. Barbed wire is typically not allowed within the City without an exception. (OCMC 17.54.100.A.4.) The water treatment plant is an essential facility for providing drinking water to a large number of residents in the area and for fire-fighting purposes. Maintaining a protected perimeter is required, and the fence is part of a site security plan. This plan for protecting the water supply and coordinated with the federal Department of Homeland Security. The height of the fence and the barbed wire are needed to prevent trespass.

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.

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

Response: The purpose of section 17.62, which restricts chain link fencing, is listed below. (There is no purpose section for section 17.54, which restricts barbed wire.)

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

As it relates to the fence restrictions, the “visual character” and “necessary public facilities” clauses are the most relevant. The existing fence material serves a dual purpose: to provide the maximum necessary protection to a site that is integral to the safe drinking water supply of thousands of people, while minimizing the visual impact to the neighborhood. For the several decades that the fence has been in place, it has successfully balanced the need for security and visual transparency that permits unbroken views into the park-like setting of the landscaped and open site. Allowing this fence (or a comparable replacement) will equally meet the needs listed in the purpose section to conserve the City’s visual character and support the provision of necessary public services.

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;

Response: Multiple adjustments are being requested as part of this master plan proposal. They include: Allowing the existing perimeter fence to remain ; No unnecessary pedestrian ways between process buildings; No interior parking lot landscaping to allow truck maneuvering; Waive commercial design standards for industrial buildings, including window placement and lighting; and modification of street and sidewalk requirements. The cumulative effect of these adjustments will be very minor, since many of them are merely to allow existing conditions to remain. This particular adjustment will result in no change to the existing appearance of the site, and the overall project will have a minimal change to the site’s appearance and character.

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

Response: Allowing the existing fence to remain in its current form with existing materials will have no impact on any Goal 5 resources. There are no known or mapped historic or cultural resources within the proposed development boundary. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City’s natural resource protection program. The proposed development will entirely avoid the mapped resource. Because the proposed development is completely outside of the mapped resource and its buffer zones, the proposal complies with the requirements of this chapter.

4. Any impacts resulting from the adjustment are mitigated;

Response: There are no impacts that result from the adjustment. The fence has been composed of this material for many decades, and the request is simply to allow the continuation of the existing fence, and to allow it to be replaced by a fence of

comparable materials if it becomes damaged or worn. The applicant would accept a condition of approval that when the property owner replaces the fence, it will use a black vinyl-coated or powder-coated chain link material to increase visual transparency.

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

Response: The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program. Allowing the fence materials to remain as-is has no impact on the resource values on this area of the site.

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

Response: In the main application, the narrative addressed applicable Comprehensive Plan policies. As shown, the proposal is consistent with these policies and will help to directly meet the intent of Goals 11.1 (Provision of Public Facilities) and 11.3 (Water Distribution) and Policy 11.3.2 (collaboration with the South Fork Water Board). The request to adjust the maximum fence height is consistent with these policies.

Pedestrian Accessways

A detailed development plan application must respond to all of the Site Plan and Design Review standards, unless specifically adjusted. (17.65.06.B.3). One of these standards requires "a well-marked, continuous, and protected on-site pedestrian circulation system" between buildings, between buildings and the street, and specifies surfacing standards, among other things (17.62.055.A.9).

The proposed development is for the expansion of a water treatment plant. All of the new development proposed, except an interior remodel of the operations building, is for process buildings and structures that increase efficiency and capacity and upgrade outdated equipment. The buildings proposed are largely storage facilities for water or for water treatment equipment. They will be only infrequently accessed by South Fork Water Board employees and never open to the general public. The facility is closed to "pedestrians" in the broader sense of the word by a secure fence around the perimeter of the site. Requiring the provision of an "on-site pedestrian circulation system" for these buildings (*e.g.*, a sedimentation basin) and this type of use is not reasonable. Requiring a paved surface across the current grassy areas to connect two buildings that do not see any significant pedestrian activity would create significant impervious surface and owner expense for little-to-no public benefit.

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.

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

Response: The purpose of section 17.62, which includes the pedestrian circulation system requirement, is listed below.

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

As it relates to the pedestrian circulation systems restrictions, the "improvements are properly related to their sites" clause is the most relevant. The regulation to require a pedestrian system assumes that the buildings will have people frequently moving between occupied buildings. The buildings proposed at this site generally provide space for process equipment and require very little or no human visitation. The proper level of improvements and relation of these buildings to their sites is the current setting, surrounded by as much greenspace as is reasonable. Requiring almost-never used paved connections between mechanical buildings is not reasonable. As far as the idea of providing connections for future users of the structures, in case of a change of use, this is also not reasonable. The proposed development is very specific to the public utility use. A sedimentation and flocculation basin, or a solids removal building, has only one use: to treat drinking water. The likelihood that these structures would be converted to another use that would increase pedestrian loads is virtually zero. By allowing the areas around these buildings to remain landscaped and free of unnecessary pedestrian paths, the design will equally meet the needs listed in the purpose section to properly relate the proposed development to its site.

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;

Response: Multiple adjustments are being requested as part of this master plan proposal. They include: Allowing the existing perimeter fence to remain ; No unnecessary pedestrian ways between process buildings; No interior parking lot landscaping to allow truck maneuvering; Waive commercial design standards for industrial buildings, including window placement and lighting; and modification of street and sidewalk requirements. The cumulative effect of these adjustments will be very minor, since many of them are merely to allow existing conditions to remain. This particular adjustment will result in avoiding unnecessary impervious surface, and the overall project will have a minimal change to the site's appearance and character.

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

Response: Waiving the requirement for an internal pedestrian circulation system will have no impact on any Goal 5 resources. There are no known or mapped historic or cultural resources within the proposed development boundary. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program. The proposed development will entirely avoid the mapped resource. Because the proposed development is completely outside of the mapped resource and its buffer zones, the proposal complies with the requirements of this chapter.

4. Any impacts resulting from the adjustment are mitigated; and

Response: There are no impacts that result from the adjustment. Since pedestrian activity within the South Fork Water Board site is negligible, and there is no viable future use of site facilities other than its current use, waiving the requirement to provide paved surfaces between unoccupied structures will have no impacts. As stated above, there are no "pedestrians" *per se* on the site that would be affected by this adjustment request.

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)

Response: The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program. Waiving the pedestrian circulation system requirement has no impact on the resource values on this area of the site.

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

Response: In the main application, the narrative addressed applicable Comprehensive Plan policies. As shown, the proposal is consistent with these policies and will help to directly meet the intent of Goals 11.1 (Provision of Public Facilities) and 11.3 (Water Distribution) and Policy 11.3.2 (collaboration with the South Fork Water Board). The request to waive pedestrian circulation system standards is consistent with these policies.

Interior Parking Lot Landscaping

The code requires that parking lots provide interior landscape islands:

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.(17.62.060.D)

The area between the operations building/filters and the pipeline B pump station is a small paved area that is a turning and maneuvering area for truck deliveries, and also is a place for visitors and employees to park. Because:

- truck maneuvering would be disrupted with the installation of landscape islands,
- the paved area is quite small,
- extensive landscaping surrounds all site development, including parking lots,
- stormwater from the paved areas is fully managed on site, and
- no expansion of this parking area is proposed,

An adjustment to waive the interior parking lot landscaping on the site is reasonable. To provide the same level of parking and maneuvering while complying with the strict numerical standard might require the expansion of the parking area, which would be allowed by the code, but provide no net benefit to the levels of impervious surface on the site.

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.

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

Response: The purpose of the parking lot landscaping section is reprinted below:

1. To enhance and soften the appearance of parking lots;
2. To limit the visual impact of parking lots from sidewalks, streets and particularly from residential areas;
3. To shade and cool parking areas;
4. To reduce air and water pollution;
5. To reduce storm water impacts and improve water quality; and
6. To establish parking lots that are more inviting to pedestrians and bicyclists.

As described above and shown in the site plan submitted with the original application, the current layout of parking areas on the site meets the purpose of the regulation. The appearance of the parking lot is already softened by the large areas of grass and mature trees that surround the paved area. The visual impact of the lot from the street and residential area is buffered by this extensive landscaped area. Shading, cooling, and reduction of pollution also derives from the extensive landscaping. Storm water impacts and water quality are unaffected by the requested adjustment, since all stormwater is already being managed effectively on site. As a private, internal use parking area, the existing lot is not open to pedestrians and cyclists in the general sense, and it is inviting to its current users because of the landscaping that surrounds it.

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;

Response: Multiple adjustments are being requested as part of this master plan proposal. They include: Allowing the existing perimeter fence to remain; No unnecessary pedestrian ways between process buildings; No interior parking lot landscaping to allow truck maneuvering; Waive commercial design standards for industrial buildings, including window placement and lighting; and modification of street and sidewalk requirements. The cumulative effect of these adjustments will be very minor, since many of them are merely to allow existing conditions to remain. This particular adjustment will result in avoiding unnecessary changes to a parking and maneuvering area, allowing an existing lot to remain, and the overall project will have a minimal change to the site's appearance and character.

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

Response: Waiving the requirement for an internal parking lot landscaping will have no impact on any Goal 5 resources. There are no known or mapped historic or cultural resources within the proposed development boundary. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program. The proposed development will entirely avoid the mapped resource. Because the proposed development is completely outside of the mapped resource and its buffer zones, the proposal complies with the requirements of this chapter.

4. Any impacts resulting from the adjustment are mitigated;

Response: There are no impacts that result from the adjustment. Since landscaping surrounds the parking area to a much greater degree than a typical parking lot, this perimeter landscaping provides all the benefits of visual buffering and stormwater control that would ordinarily be provided by interior landscaping. A strict application of this standard would require a significant change to the existing area to accommodate truck maneuvering, which would create greater impacts than allowing the adjustment.

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)

Response: The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program. Waiving the interior parking lot landscaping requirement has no impact on the resource values on this area of the site.

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

Response: In the main application, the narrative addressed applicable Comprehensive Plan policies. As shown, the proposal is consistent with these policies and will help to directly meet the intent of Goals 11.1 (Provision of Public Facilities) and 11.3 (Water Distribution) and Policy 11.3.2 (collaboration with the South Fork Water Board). The request to waive interior parking lot landscaping standards is consistent with these policies.

Design Standards for New Buildings

The proposed new buildings at the South Fork Water Board site are designed to treat drinking water and to support the activities around this purpose. This purpose results in buildings that are extremely utilitarian, designed to house equipment and materials

that treat water, or storage of the water itself. It is not clear that the “Institutional and Commercial Building Design Standards” in the Site Plan and Design Review section of the code (17.62.055) would necessarily apply. The proposed buildings and structures on the site are clearly not commercial buildings, since no commercial activities happen in them. Likewise, the treatment plant is not really made up of institutional buildings, as it is not a “community facility” *per se*, as reflected in the code’s definition of “institutional development” (17.04.595). Rather, the plant is a public utility facility (17.04.985) that serves the community. It is not, for understandable security reasons, open and available for community use. In the 2007 land use review that approved the new clearwell (CU 07-06/WR 07-28/SP 07-14), the Planning Commission determined that these building design standards did not apply.

Practically speaking, most of the standards for institutional and commercial buildings would be impossible to meet for a utilitarian, functional building such as a sedimentation basin or a solids dewatering building. It is not feasible to implement façade transparency standards, “main entrances” fronting on the street, and other design elements if these water treatment buildings are to function. Lighting standards for occupied buildings will be met as part of the building codes.

For these reasons, an adjustment to waive the institutional and commercial building standards is reasonable, and requested here. If the City determines that these standards do not apply, this adjustment and its findings are superfluous and may be disregarded.

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.

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

Response: The purpose of the institutional and commercial building section reveals how it is likely that most or all of these standards do not fit with the nature of the proposed development for improved water treatment facilities.

The primary objective of the regulations contained in this section is to provide a range of design choices that promote creative, functional, and cohesive development that is compatible with surrounding areas. Buildings approved through this process are intended to serve multiple tenants over the life of the building, and are not intended for a one-time occupant. The standards encourage people to spend time in the area, which also provides safety through informal surveillance. Finally, this section is intended to promote the design of an urban environment that is built to human scale by creating buildings and streets that are

attractive to pedestrians, create a sense of enclosure, provide activity and interest at the intersection of the public and private spaces, while also accommodating vehicular movement. (17.62.055.A)

Realistically, no other “tenants” will occupy the proposed structures over the life of the water treatment plant. A highly-specialized building used to flocculate water or create ozone is not useful for any other purpose. It is not useful, for understandable security reasons, to encourage visitation, or to accommodate pedestrians on the property in a way envisioned by the purpose statement.

Allowing the facility to maintain its primary purpose of treating the water supply by waiving these building standards will continue its compatibility with surrounding areas. The proposed location and future design of the buildings will promote creative, functional, and cohesive development. This equally or better meets the purpose of the regulation to be modified.

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;

Response: Multiple adjustments are being requested as part of this master plan proposal. They include: Allowing the existing perimeter fence to remain; No unnecessary pedestrian ways between process buildings; No interior parking lot landscaping to allow truck maneuvering; Waive commercial design standards for industrial buildings, including window placement and lighting; and modification of street and sidewalk requirements. The cumulative effect of these adjustments will be very minor, since many of them are merely to allow existing conditions to remain. This particular adjustment waives inapplicable development and design standards for commercial and institutional buildings, since the type of buildings that are proposed are for public utility use. The overall project will add structures to the site, but will have a very minimal change to the site’s appearance and character.

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

Response: Waiving the commercial and institutional development and design standards for public utility structures will have no impact on any Goal 5 resources. There are no known or mapped historic or cultural resources within the proposed development boundary. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City’s natural resource protection program. The proposed development will entirely avoid the mapped resource. Because the proposed development is completely outside of the mapped

resource and its buffer zones, the proposal complies with the requirements of this chapter.

4. Any impacts resulting from the adjustment are mitigated;

Response: There are no impacts that result from the adjustment. The proposed structures on the site will not be significantly different or more intense than the existing structures on the site. The overall impression of the site, as a public utility water treatment facility in a landscaped, open-space setting, will remain largely the same. Applying these development standards without recognizing the unique nature of the use and its buildings would make it impossible to retain the utility of the proposed structures.

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)

Response: The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program. Waiving the commercial and institutional building standards has no impact on the resource values on this area of the site.

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

Response: In the main application, the narrative addressed applicable Comprehensive Plan policies. As shown, the proposal is consistent with these policies and will help to directly meet the intent of Goals 11.1 (Provision of Public Facilities) and 11.3 (Water Distribution) and Policy 11.3.2 (collaboration with the South Fork Water Board). The request to waive commercial and institutional building standards is consistent with these policies.

Sidewalk and Street Improvements

Site Plan and Design Review standards indicate requirements for sidewalk and street improvements:

Sidewalks and curbs shall be provided in accordance with the City's transportation master plan and street design standards. Upon application, the community development director may waive this requirement in whole or in part in those locations where there is no

probable need, or comparable alternative location provisions for pedestrians are made. (17.62.050.A.8)

Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the City's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation. (17.62.050.A.15)

In the pre-application materials and through discussions with City staff over the past 12 months, the City has indicated that it will require improvements on all three street frontages abutting the SFWB property. The most significant request is to Swan Avenue, which is a collector street. The City's plan for improvements on this frontage include sidewalks, planter strips, parking, bike lanes, and travel lanes (See Figure 1 in the introduction.). To achieve this, additional SFWB property would have to be dedicated to the City.

For the other two frontages, Hunter Avenue and Thurman Street, the City's improvements call for sidewalks, planting strips, and parking on both sides (See Figure 2 in the introduction.). Both of these improvements would require dedication of SFWB property to the City. Currently, Hunter Avenue has sidewalks on neither side. Thurman Street has a full sidewalk and curb on the opposite side of the street from the SFWB property.

Prior to its application for a conditional use permit in 2007, SFWB donated to the City 0.27 acres of its land, on two of its frontages, to allow the City to make future right-of-way improvements. This dedication consisted of 7.5 feet along Thurman Street, and 11 feet along Swan Avenue. Improvements like the ones suggested by the City would require even more land.

The traffic analysis that accompanied the original master plan application dated September 8, 2010 determined that the total transportation impact of the master plan at full build-out will be 9.5 additional vehicle trips per week. This is an insignificant addition to the transportation system. The pedestrian impacts to the system are virtually zero. Consequently, the South Fork Water Board does not believe it is legally defensible for the City to exact land to widen the three street frontages, and to require

that SFWB pay the significant costs associated with wider streets, sidewalks and street trees. At the same time, SFWB does not object to neighborhood improvements and wants to do its fair share to work with the City on providing adequate transportation improvements.

A second concern about the requested improvements is the security risks associated with installing full sidewalks adjacent to a sensitive facility for drinking water treatment. Encouraging people and/or vehicles to be closer to the buildings and process equipment that treats water for a large population could be an unacceptable security risk.

The South Fork Water Board wants to be a good neighbor to its surrounding residents, and work with the City to upgrade the transportation infrastructure. With this in mind, it proposes a modification of the City's street standards that creates an improved pedestrian experience, without unfairly impacting the site. The site plan standards specifically allow the sidewalk and curb standards to be waived, without an adjustment, "in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made." That is the case in this situation.

The proposed improvements are:

- Hunter Ave.: Expansion of paved width to 32 feet (no sidewalk), and corresponding dedication of land.
- Thurman St.: No change. Full sidewalk on opposite side serves pedestrians.
- Swan Ave.: Improvements and dedication of land to achieve City's "collector" standard.

All of the improvements are proposed to occur as part of "Phase 2" of the master plan, estimated to be prior to summer 2020. That is, these improvements will be made concurrently with the construction of the two-story centrifuge/solids dewatering building. The South Fork Water Board could either build the street infrastructure itself or pay the City to do so following its process for fee-in-lieu improvements. Overall, these suggested improvements are a significant upgrade to the abutting streets, especially considering the insignificant impacts generated by proposed development. The requested adjustment to street standards is a reasonable compromise.

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.

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

Response: The purpose of section 17.62, which includes the sidewalk and street improvement requirements, is listed below.

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

As it relates to the street and sidewalk improvement standards, the “assure that development is supported with necessary public facilities and services” clause is the most relevant. Allowing a reduction in the street widths and extent of improvements in this location equally meets the goal of supporting development. The setting of this area of Oregon City makes it more appropriate to develop the transportation infrastructure being sensitive to current conditions and full build-out of the area according to zoning. The proposed improvements to the street and sidewalk infrastructure is an upgrade, and sufficient to provide service to the development in the surrounding area. In this respect, the proposed improvements equally meet the purpose of the standards.

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;

Response: Multiple adjustments are requested as part of this master plan proposal. They include: Allowing the existing perimeter fence to remain; No unnecessary pedestrian ways between process buildings; No interior parking lot landscaping to allow truck maneuvering; Waive commercial design standards for industrial buildings, including window placement and lighting; and modification of street and sidewalk requirements. The cumulative effect of these adjustments will be very minor, since many of them are merely to allow existing conditions to remain. This particular adjustment will result in upgraded transportation facilities on streets surrounding the subject property, despite little to no impact from the proposed development. Overall, this creates a project that is still consistent with the purpose of the zone.

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

Response: Waiving the requirement for an internal pedestrian circulation system will have no impact on any Goal 5 resources. There are no known or mapped historic or cultural resources within the proposed development boundary. The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program.

The City's proposed sidewalk and street improvements on Swan Ave. would occur within the mapped resource. Because the ultimate dimensions and design and existence of this proposed project can not be determined at this time, it is reasonable to defer the review of the project under Title 17 to Phase 2, when it is proposed to be constructed. Because this is an improvement that can be reasonably anticipated, it is also requested that it be processed as a Type II review, per City regulations.

4. Any impacts resulting from the adjustment are mitigated; and

Response: There are no significant impacts that result from the adjustment. Adequate pedestrian and vehicular facilities will be available on all three frontages under the proposed adjustment. The proposal will significantly upgrade the surrounding neighborhood compared with existing conditions. By reducing the width of paving and sidewalks on Thurman St. and Hunter Ave., the adjustment request avoids unnecessary impervious surface and additional burdens on the stormwater system.

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)

Response: The southeast area of the project site is located within the Natural Resources Overlay District (Chapter 17.49) which implements the City's natural resource protection program.

The City's proposed sidewalk and street improvements on Swan Ave. would occur within the mapped resource. Because the ultimate dimensions and design and existence of this proposed project can not be determined at this time, it is reasonable to defer the review of the project under Title 17 to Phase 2, when it is constructed. It is also requested that the improvements to Swan be processed as a Type II land use review, per City regulations.

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

Response: In the original mater plan application dated September 8, 2010, the narrative addressed applicable Comprehensive Plan policies. As shown, the proposal is consistent with these policies and will help to directly meet the intent of Goals 11.1 (Provision of Public Facilities) and 11.3 (Water Distribution) and Policy 11.3.2 (collaboration with the South Fork Water Board). The request to modify street and sidewalk standards to be appropriate with the site and neighborhood context is consistent with these policies.

REPLINGER & ASSOCIATES LLC
TRANSPORTATION ENGINEERING

November 11, 2010

Ms. Laura Terway
City of Oregon City
PO Box 3040
Oregon City, OR 97045

**SUBJECT: REVIEW OF CONCEPT MASTER PLAN SUBMITTAL – SOUTH FORK WATER
BOARD WATER TREATMENT PLAN – CP10-0X**

Dear Ms. Terway:

In response to your request, I have reviewed the materials submitted in support of the proposed Concept Master Plan for the South Water Board Water Treatment Plant. The relevant materials consisted of the project narrative and site plan. The project narrative was prepared by Ben Schonberger of Winterbrook Planning. The submittal did not include a Transportation Impact Analysis (TIA) or Transportation Analysis Letter (TAL) prepared by a traffic engineer.

The narrative describes the Board's plan to develop the site, which is located adjacent to Thurman Street between Swan Avenue and Hunter Avenue. The development proposal consists of various physical improvements to the buildings and structures in three phases. The project narrative explains the various functions performed at the site and explains how they will be modified. It also explains that there will be minimal change in the transportation impacts as the phases are implemented.

The narrative explains that the change in traffic to the site will be minimal since there will be no increase in number of employees. A minor amount of additional truck traffic will occur because of supplies that will be required for the new processes at the site. The narrative explains that traffic volumes will increase by fewer than ten truck deliveries per month. Even accounting for the fact that each truck delivery includes both an entering and an exiting trip, the volumes are far below those that would require a TIA. At the time of submittal of a Detailed Development Plan or Site Plan, the applicant should verify the level of activity and identify any new estimates of trip generation.

The project narrative provides a general understanding of the transportation impacts upon which the development proposal can be evaluated for conformance with master plan criteria. Certain further details relating to transportation can be performed by a traffic engineer in connection with either the submittal of a Detailed Master Plan or a Site Plan. The following issues taken from the requirements specified for TAL to be performed by a professional engineer will need to be addressed.

Issues to Be Addressed

Ms. Laura Terway
November 11, 2010
Page 2

1. **Trip Generation.** The narrative indicates there will be no significant change of transportation activity level with the expansion. The applicant's engineer should confirm this for each phase.
2. **Access Locations.** The narrative indicates that there will be no changes. This should be verified in connection with each phase.
3. **Driveway Width.** The driveway width should be verified and made to conform with applicable standards if it does not currently conform.
4. **Intersection Spacing.** The development will not create any new intersections.
5. **Sight Distance.** The sight distance at the existing driveway was not measured, but it is presumed to be adequate. This should be verified if any changes are made to the site driveway.
6. **Safety Issues.** The applicant's engineer should review the site driveway and the existing intersections adjacent to the property to identify safety issues related to transportation activity generated by or occurring adjacent to the site. This should be undertaken in advance of required frontage improvements.
7. **Consistency with the Transportation System Plan (TSP).** Swan Avenue is correctly identified as a collector street. This and other street frontages will need to be brought up to current standards.

Conclusion and Recommendations

I find that the project narrative generally shows that the impacts of the Master Plan proposal will have minor impacts on the transportation system and off-site mitigation is unlikely to be required for any phase. Specific issues identified above will need to be addressed with submittal of a TAL at the time of a Detailed Development Plan or Site Plan. Should any phase exceed the level of traffic specified in the city's Guidelines for Transportation Impact Analysis, a TIA rather than a TAL must be submitted.

If you have any questions or need any further information concerning this review, please contact me at replinger-associates@comcast.net.

Sincerely,



John Replinger, PE
Principal

CITY OF OREGON CITY

**ENGINEERING POLICY 00-01
Guidelines for Development**

EFFECTIVE: April 10, 2000

PREPARED BY

PUBLIC WORKS DEPARTMENT

625 Center Street

Post Office Box 3040

Oregon City, Oregon 97045-0304

Telephone: (503) 657-0891

Development Services Division

Applicability. This policy applies to applicants for land use decisions and site plan reviews with regard to providing public improvements and submittal of documentation. The following sections outline some of the important requirements and helpful hints for those unfamiliar with providing public improvements as required by the Oregon City Municipal Code and Oregon City Public Works Standards. This is not an all-inclusive list of City requirements and does not relieve the applicant from meeting [the Conditions of Approval](#) and all applicable City Code and Public Works Standards.

Availability of Codes and Standards. Copies of these City Codes and Standards are available [online at www.orcity.org](#) and at City Hall in hard copy or CD-ROM for a nominal price. Some engineering firms in the local metropolitan area already own these Codes and Standards to enable them to properly plan, design, and construct City projects.

General

- Applicants shall design and construct all required public works improvements to City Standards. These Standards include the latest version in effect at the time of application of the following list of documents: Oregon City Municipal Code, Water Master Plan, Transportation System Plan, Sanitary Sewer Master Plan, Drainage Master Plan, [and any adopted individual Drainage Basin Plans](#). It includes the Public Works Design Standards, which is comprised of Sanitary Sewer, Water Distribution System, Stormwater and Grading, and Erosion Control. This list also includes the Street Work Drawings and the Site Traffic Impact Study Procedures. It may also include the City of Oregon City Review Checklist of Subdivision and Partition Plats when the development is a Subdivision, Partition, or Planned Unit Development.

Water (Water Distribution System Design Standards)

- The applicant shall provide water facilities for their development. This includes water mains, valves, fire hydrants, blow-offs, service laterals, and meters.
- All required public water system improvements shall be designed and constructed to City standards.
- The Fire Marshall shall determine the number of fire hydrants and their locations. All hydrants to be completed, installed, and operational before beginning structural framing. Hydrants shall be painted with Rodda All-Purpose Equipment Enamel (1625 Safety Orange Paint) and all chains shall be removed from the fire hydrants.
- Backflow prevention assemblies are required on all domestic lines for commercial buildings, all fire service lines, and all irrigation lines [and require a plumbing permit issued by the City's Building Division](#). Backflow prevention assemblies are also required on residential domestic lines greater than or equal to 2-inch diameter. These assemblies are also required where internal plumbing is greater than 32 feet above the water main. The type of backflow prevention device required is dependent on the degree of hazard. City Water Department personnel, certified as cross connection inspectors, shall determine the type of device to be installed in any specific instance. All backflow prevention devices shall be located on the applicant's property and are the property owner's responsibility to test and maintain in accordance with manufacturer's recommendations and Oregon statutes.
- The applicant shall verify that there are no wells on site, or if any wells are on the site prior to connecting to the public water system; the applicant shall:
 - Abandon the well per Oregon State requirements and provide copies of the final approval of well abandonment to the City; or

- Disconnect the well from the home and only use the well for irrigation. In this case, the applicant shall [obtain a plumbing permit from the City's Building Division](#) to install a back flow preventor on the public service line. The applicant shall also coordinate with the City water department to provide a cross connection inspection before connecting to the public water system.
- [New water line system must be flushed, filled to test for bacteria and pressure tested; and City Water Division will obtain two bacteriological testing results within 24 hours, and contractor shall obtain City Water Division approval before final connection to existing water line system.](#)

Sanitary Sewer (Sanitary Sewer Design Standards)

- The applicant shall provide sanitary sewer facilities to their development. This includes gravity mains, manholes, stub outs, and service laterals.
- All required public sanitary sewer system improvements shall be designed and constructed to City standards.
- Applicant must process and obtain sanitary sewer system design approval from DEQ.
- Any existing septic system on site shall be abandoned and certification documentation provided from Clackamas County [to the City Development Services Division](#) before recording the plat or obtaining a certificate of occupancy.
- If the Land Use application involves a restaurant, deli, or the like, it will require a private grease interceptor installation which can be quite costly. The Applicant should look into this with their engineer/architect for proper location, installation, and cost estimate as part of their due diligence in deciding to do the project. There are also periodic maintenance costs as well.

Stormwater (Stormwater and Grading Design Standards)

- The applicant shall provide stormwater and detention facilities for their development. This includes the stormwater mains, inlets, manholes, service laterals for roof and foundation drains, detention system if necessary, control structure if necessary, inflow and outflow devices if necessary, energy dissipaters if necessary, and landscaping when directed by the Public Works Stormwater and Grading Standards.
- [The applicant must design, construct, and complete the entire stormwater system, including the pond and it's landscaping prior to recording of the plat or obtaining a certificate of occupancy permit. The City will not accept a surety for the pond landscaping unless Staff determines that an adequate planting season is not available prior to submission of the final plat. Even if this is the case, Staff will still require a minimum of an adequate application of hydro seeding/erosion blanket, sod, or other means to ensure the pond performs adequately to meet turbidity regulations within the City's Erosion Control regulations.](#)
- The applicant shall design and construct required public stormwater system improvements to City standards and it shall be completed before building permits are issued. Each project is to coordinate with the City Drainage Master Plan, the Public Works Stormwater and Grading Standards, and the appropriate individual Basin Master Plan (as adopted) and incorporate recommendations from them as directed.
- The applicant shall design the stormwater system to detain any increased runoff created through the development of the site, as well as convey any existing off-site surface water entering the site from other properties.

- The applicant shall submit hydrology/detention calculations to the City Development Services Division for review and approval before approval of construction plans. The applicant shall provide documentation to verify the hydrology and detention calculations. The applicant shall show the 100-year overflow path and shall not design the flow to cross any developed properties.

Dedications and Easements

- The applicant shall obtain and record all off-site easements required for the project before City approval of construction plans.

Streets

- The applicant shall provide street facilities to their site including within the site and on the perimeter of the site where it borders on existing public streets. This includes half- and full-street width pavement as directed, curbs, gutters, planter strips or tree wells as directed, street trees, sidewalks, and bicycle lanes (when required by the type of street classification). This also includes city utilities (water, sanitary and storm drainage facilities), [handicap access ramps at intersections and mid-block as directed](#), traffic control devices, centerline/[intersection](#) monumentation in monument boxes, and street lights in compliance with the City Code for Oregon City and its various Master Plans. Half-street improvements include an additional 10-foot wide pavement past the centerline subject to City review of existing conditions. [This provides the required improvement on the applicant's portion of the roadway, and allows the opposing travel way to have safe passage on the new gradient.](#)
- All street names shall be reviewed and approved by the City ([Planning and Building Divisions 722-3789](#)) prior to approval of the final plat to ensure [names meet current Planning Division Street Name criteria and that](#) no duplicate names are proposed in Oregon City or the 9-1-1 Service Area.
- All street improvements shall be completed and street name and traffic control signs shall be installed before issuance of building permits.
- The applicant is responsible for all sidewalks in their development. The applicant may transfer the responsibility for the sidewalks adjacent to the right-of-way as part of the requirement for an individual building permit on local streets. However, failure to do so does not waive the applicant's requirement to construct the sidewalks. Applicant shall complete sidewalks on each residential or industrial/commercial lot in accordance with the Land Division (or Project) Compliance Agreement for the project (e.g.; subdivision, partition, or Planned Unit Development) or prior to the final sign off of a building permit.
- Applicant shall install sidewalks along any tracts within their development, any pedestrian/bicycle accessways within their development, along existing homes or industrial/commercial buildings within the development's property boundaries, and all handicap access ramps required in their development [at the time of street construction](#).
- Street lights shall typically be owned by the City of Oregon City under PGE [Option "B"](#) and installed at the expense of the applicant. The applicant shall submit a street light plan, subject to City and PGE approval, prepared by a qualified electrical contractor. Streetlights shall be placed at street intersections and along streets at property lines. The required lights shall be installed by a qualified electrical contractor.
- Streetlights are to be spaced and installed per recommendations of the Illuminating Engineering Society of North America as published in their current issue of IES, RP-8 to provide adequate lighting for safety of drivers, pedestrians, and other modes of transportation. Streetlights for local streets shall be 100-watt high-pressure sodium fixtures

mounted on **direct-bury** fiberglass poles with a 25-foot mounting height unless otherwise specified. Streetlights for arterial, collector, and neighborhood collector streets shall be **200-watt** high-pressure sodium fixtures mounted on **base-mounted** brushed aluminum poles with a 30-foot mounting height unless otherwise specified. The applicant shall dedicate any necessary electrical easements on the final plat. All streetlight fixtures, mastheads, and poles shall be constructed of material approved by PGE for maintenance by PGE.

- Street lights along certain designated traffic corridors such as Molalla Avenue require specially-approved non PGE approved lights. These systems are owned and operated by the City and require design by an Oregon-licensed Professional Electrical Engineer who shall stamp the appropriate street light plans. The design shall include the provision of either extending power from an existing City light system or providing a new meter for the power. Provisions to extend these light systems shall be provided.

Grading And Erosion Control

- The applicant's engineer shall submit rough grading plan with construction plans. The engineer shall certify completed rough grading elevations to +/- 0.1 feet. For single family residential developments, a final residential lot-grading plan shall be based on these certified grading elevations and approved by the City Engineer before issuance of a building permit. If significant grading is required for the residential lots due to its location or the nature of the site, rough grading shall be required of the developer before the acceptance of the public improvements. (See Geotechnical section for cut and fill certification issues on building lots or parcels) There shall not be more than a maximum grade differential of two (2) feet at all site boundaries. Final grading shall in no way create any water traps, or create other ponding situations.
- Applicants shall obtain a DEQ 1200c permit when their site clearing effort is over one (1) acre, as modified by DEQ. Applicant shall provide a copy of their DEQ 1200c permit to the City before any clearing efforts are started.
- An Erosion Prevention and Sedimentation Control Plan shall be submitted for City approval. Applicant shall obtain an Erosion Control permit before any work on site.
 - Dewatering excavations shall not be allowed unless the discharge water meets turbidity standards (see next bullet) or is adequately clarified before it enters on-site wetlands, drainage courses, and before it leaves the site. Discharge from man-made, natural, temporary, or permanent ponds shall meet the same standard.
 - Construction activities shall not result in greater than 10 percent turbidity increase between points located upstream and downstream of construction activities.
 - Effective erosion control shall be maintained after site work is complete and throughout building permit issuance.
 - Plans shall document erosion prevention and control measures that will remain effective and be maintained until all construction is complete and permanent vegetation has been established on the site.
 - Responsible party (site steward) for erosion control maintenance throughout construction process shall be shown on the Erosion Control Plan.
 - Staff encourages applicant to select high performance erosion control alternatives to minimize the potential for water quality and fish habitat degradation in receiving waters.

Geotechnical

- Any structural fill to accommodate public improvements shall be overseen and directed by a geotechnical engineer. The geotechnical engineer shall provide test reports and certification that all structural fill has been placed as specified and provide a final summary report to the City certifying all structural fill on the site before City approval and acceptance of public improvements.
- Any cut or fill in building lots or parcels beyond the rough grading shall be subject to the Building Division's requirements for certification under the building permit.

Engineering Requirements

- Design engineer shall schedule a pre-design meeting with the City of Oregon City Development Services Division before submitting engineering plans for review.
- Street Name/Traffic Control Signs. Approved street name signs are required at all street intersections with any traffic control signs/signals/stripping.
- Bench Marks. At least one benchmark based on the City's datum shall be located within a subdivision.
- Other Public Utilities. The applicant shall make necessary arrangements with utility companies for the installation of underground lines and facilities. The City Engineer may require the applicant to pay these utility companies to use trenchless methods to install their utilities in order to save designated and marked trees when the utility crosses within a dripline of a tree marked, or identified, to be saved. Applicant to bear any additional costs that this may incur.
- Technical Plan Check and Inspection Fees. The current Technical Plan Check and Inspection Fee shall be paid before approval of the final engineering plans for the required site improvements. The fee is the established percentage of a City-approved engineer's cost estimate or actual construction bids as submitted by the applicant. Half of the fee is due upon submitting plans [to Development Services](#); the other half is due upon approval of the final plans.
- It is the City's policy that the City will only provide spot check inspection for non public-funded improvements, and the applicant's engineer shall provide inspection and surveying services necessary to stake and construct the project and prepare the record (as-built) drawings when the project is complete.
- [The Applicant's inspector and contractor shall follow the City's Minimum Guidelines for Public Works Construction \(available on the City website\).](#)
- Applicant shall submit two (2) sets of final engineering plans for initial review by the City Development Services Division to include the drainage report (wet signed by the responsible engineer), and the cost estimate with half of the Technical Plan Check fee. The engineering plans shall be blackline copies, 22" x 34" or 24" x 36". Blue line copies are not acceptable.
- For projects such as subdivisions, partitions, and Planned Unit Developments, the applicant shall submit a completed copy of the City's latest final subdivision and partition plat checklist, the plat review fee, and a paper copy of the preliminary plat.
- Two (2) copies of any revised documents (in response to redlined comments) will be required for subsequent reviews, if necessary.
- The applicant shall submit, for the final City approval, seven (7) copies of the plans with two full sets wet signed in blue over the engineer's Professional Engineer Oregon stamp.
- Minimum Improvement Requirements. Applicant shall provide a surety on developments for uncompleted work including landscaping before a plat is recorded or a building sign off as required by a Compliance Agreement (available in hard copy or electronic version from City Development Services or on the City website). This occurs if the

applicant wishes to record the final plat before completion of all required improvements or occupy the new development prior to completion of the public improvements including landscaping. Surety shall be an escrow account, construction set-aside, performance guaranty, or in a form that is acceptable to the City Attorney (no bonds are allowed).

- Upon conditional acceptance of the public improvements by the City, the applicant shall provide a two-year maintenance guarantee as described in the Compliance Agreement. This Maintenance Guarantee shall be for fifteen (15) percent of the engineer's cost estimate or actual bids for the complete public improvements.
- The applicant shall submit a paper copy of the record (as-built) drawings, of field measured facilities, to the City Engineer for review before building permits are issued beyond the legal limit. Upon approval of the paper copy by the City Engineer, applicant shall submit a bond copy set and two 4-mil mylar record drawings sets as directed.
- The applicant shall submit one full set of the record (as-built) drawings, of field measured facilities, on AutoCAD files on CD-ROM, in a format acceptable to the City Engineer, and include all field changes.
- One AutoCAD file of the preliminary plat, if applicable, shall be furnished by the applicant to the City Addressing staff (in the Building Division) for addressing purposes. A sample of this format may be obtained from the City Geographical Information System Division. This information, and documents, shall be prepared at the applicant's cost.
- The applicant's surveyor shall also submit, at the time of recordation, a copy of the plat on a CD-ROM to the City in a format that is acceptable to the City's Geographic Information System Division.
- The City reserves the right to accept, or reject, record drawings that the City Engineer deems incomplete or unreadable that are submitted to meet this requirement. The applicant shall be responsible for all costs associated with meeting this condition. The applicant shall ensure their engineer submits the record drawings before the City will release final surety funds or residential building permits beyond the legal limit.
- Final Plat Requirements, if applicable. The final plat shall comply with ORS 92.010 through 92.190, and City Code. In addition the following requirements shall be required:
 - The applicant, and their surveyor, shall conform to the City's submittal and review procedures for the review and approval of plats, easements, agreements, and other legal documents associated with the division of this parcel.
 - Show the City Planning File Number on the final plat, preferably just below the title block.
 - A blackline copy of the final plat illustrating maximum building envelopes shall be submitted to the Planning Division concurrently with submittal of the plat to ensure setbacks and easements do not conflict.
 - Use recorded City control surveys for street centerline control, if applicable.
 - Show state plane coordinates on the Point of Beginning.
- The civil construction drawings, once approved by the City Development Services Division, shall have an approval period of one year in which to commence with construction. The plans and drawings shall be valid, once the City Engineer holds the preconstruction conference and construction activity proceeds, for as long as the construction takes. If the construction drawings expire before construction commences, the applicant shall ensure the civil construction documents and plans conform to the latest Standards, Specifications, and City Codes that are in place at the time of the update. The applicant shall bear the cost associated with bringing them into conformance, including additional technical plan check and review costs. [The applicant is reminded that the City Code requires that the final plat be submitted to the Development Services Division within two years after land use decision.](#)

- The applicant shall include a statement in proposed Conditions, Covenants, and Restrictions (CC & R's), plat restrictions, or some other means acceptable to the City Attorney for:
 - Maintaining surface runoff patterns established for each lot,
 - Maintaining any proposed private storm lines or detention, and
 - Conformance by individual lot owner to the City's erosion control standards when establishing or renovating landscaping.
 - The applicant shall submit the proposed method and statement to the Planning staff for review and approval, before final plat approval.
- Construction vehicles and other vehicles associated with the development shall only use the entrance as approved by the City Development Services Division to enter their site and these vehicles shall park or wait on the construction site. The applicant should provide a specified area of off street parking for the site's construction workers which meets the erosion/sedimentation control measures. Supplier vehicles and trailers (hauling vehicles) and actual construction vehicles shall not park, or wait, in such a manner that would block or hinder access for emergency vehicles. This includes private vehicles belonging to construction workers, supplier vehicles and trailers, and actual construction vehicles.
- Site construction activity is to only occur between 7:00 AM and 6:00 PM on Monday through Friday; between 9:00 AM and 6:00 PM on Saturday. No site improvement construction activity is allowed on Sunday. Construction activity includes all field maintenance of equipment, refueling, and pick up and delivery of equipment as well as actual construction activity.
- The applicant shall ensure that all applicable outside agencies are contacted and any appropriate approvals obtained for the construction of the project. The applicant shall supply copies of approvals to the City. Failure to do so shall be a justification for the City to prevent the issuance of a construction or building permit or to revoke an issued permit for this project.
- The applicant shall be responsible for paying all fees associated with the recording of documents such as non-remonstrance agreements, easements, and dedications.
- Should the applicant, or any assigns or heirs, fail to comply with any of the conditions set forth here, the City may take the appropriate legal action to ensure compliance. The applicant shall be responsible for any City legal fees and staff time associated with enforcing these conditions of approval.

I:\Engineering\Policy\EP00-01v6.doc



OREGON CITY

Community Development – Planning

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

LAND USE APPLICATION TRANSMITTAL

October 22, 2010

IN-HOUSE DISTRIBUTION OF APPLICATION

- ☒ Building Official
- ☒ Development Services Manager
- ☒ Public Works Operations
- ☒ City Engineer / Public Works Director
- ☐ GIS
- ☐ Parks Manager
- ☐ Addressing
- ☐ Police
- ☒ Traffic Engineer
- ☐ City Attorney

NOTICE OF THE APPLICATION MAILED TO

- ☒ All Properties within 300 feet
- ☒ Hamlet of Beavercreek
- ☒ Holcomb Outlook CPO
- ☒ Central Point / Leland Road / New Era CPO

MAIL-OUT DISTRIBUTION OF APPLICATION

- ☒ OREGON CITY NEIGHBORHOOD ASSOCIATIONS
 - ☒ CIC Chair _____
 - ☒ N.A. Chair PATZ PLACE
 - N.A. Land Use Chair _____
- ☐ Clackamas County Transportation and Planning
- ☐ Clackamas Fire District #1
- ☐ ODOT – Division Review
- ☐ School District# 62
- ☐ Tri-Met
- ☐ Metro
- ☐ Oregon City Postmaster
- ☐ DLCD / DEQ / DSL / USACE (circle)
- ☐ Other _____

COMMENTS DUE BY: **November 26, 2010**

HEARING DATE: **December 13, 2010**

HEARING BODY: ___ Staff Review; XX PC; ___ HRB; ___ CC

FILE # & TYPE: CP 10-03: Master Plan

CU 10-03: Conditional Use

PLANNER: Laura Terway, AICP, Planner (503) 496-1553

APPLICANT: John Collins, South Fork Water Board

REQUEST: South Fork Water Board requested approval of a Conditional Use and Concept (General) Development Plan to upgrade the water treatment facility on Hunter Avenue.

ZONING: "R-10" Single-Family Dwelling District

LOCATION: 15962 Hunter Avenue, Oregon City, Clackamas County Map 2-2E-21CD-02500

No Address, Oregon City, Clackamas County Map 2-2E-28BB-00100

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

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

Signed

PLEASE RETURN YOUR COPY OF THE APPLICATION AND MATERIAL WITH THIS FORM.



OREGON CITY

Community Development – Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045
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COPY

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October 22, 2010

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Frontage - Sidewalks (Pedways) and bike lane, and curbs

Signed

John Collins 11/2/10
PLEASE RETURN YOUR COPY OF THE APPLICATION AND MATERIAL WITH THIS FORM.



MEMORANDUM

To: Laura Terway, Oregon City Planning
From: Ben Schonberger, AICP
Date: March 3, 2011
Re: **South Fork Water Board master plan additional findings and information**

This memo addresses a variety of topics and information that we have discussed in recent weeks and issues that came up at the planning commission hearing on February 28. The will hopefully contribute to the staff report and the discussion of the master plan at the March 14 hearing.

Parking Lot Landscaping

The February 4 supplemental findings requested an adjustment to waive the interior parking lot landscaping requirements for the existing paved area between the operations building/filters and the pipeline B pump station. In addition, the applicant requests this adjustment be expanded to include perimeter landscaping. The rationale is essentially the same. An adjustment to waive both interior and perimeter landscaping standards for this small paved area is reasonable because:

- the paved area is quite small,
- stormwater from the paved areas is fully managed on site,
- existing landscaping and ground cover surrounds the parking area, and
- no expansion of this parking area is proposed.

An adjustment to waive the interior parking lot landscaping on the site is reasonable. To provide the same level of parking and maneuvering while complying with the strict numerical standard might require the expansion of the parking area, which would be allowed by the code, but provide no net benefit to the levels of impervious surface on the site.

The findings for the adjustment to interior parking lot landscaping apply equally to this request that adjustment to be expanded to include perimeter landscaping. Those findings from the February 4 submittal are incorporated here by reference, so as not to repeat the findings. In brief, the existing landscaping around this parking lot, and the natural setting of the site, equally or better meet the purpose of this parking area regulation.

Winterbrook Planning
310 SW Fourth Avenue, Suite 1100
Portland, OR 97204
503.827.4422 ■ 503.827.4350 (fax)
ben@winterbrookplanning.com

Parking Spaces

Adequate but not excessive parking exists for the existing and proposed uses on the site. As stated in the original application, approximately 10 spaces are provided on paved areas for use by employees and visitors to the site. Staff and the applicant have discussed the correct use category for the water treatment plant. The use of the site is “public utility”, per 17.04.985. Oregon City’s parking code has no parking ratio for this use, and there are no direct parallels in the parking ratio table. The city can determine parking requirements for buildings and uses not listed in the code. (17.52.020.A.2) Fortunately, codes in other nearby jurisdictions provide some guidance. The “basic utility” use category and its parking requirements are addressed in codes for Portland and Tigard, and also in the Oregon Department of Land Conservation and Development’s “Model Code” for Oregon cities. In these three sources, there is neither a minimum nor a maximum parking requirement for basic utilities. (Documentation is attached to this memo.) For this specialized and unique use, the property owner is empowered to determine a reasonable amount of parking. In the case of South Fork Water Board, past experience has shown that sufficient but not excessive parking for the current and proposed development is the amount currently existing. The applicant requests that this standard apply going forward.

Building Design

In the hearing on February 28, commissioners expressed an interest in more detailed design information for the new structures on the site, particularly the chemical storage building on the Thurman Street frontage of the site.

Buildings proposed for the site have not yet been designed. The details of building design—materials, color, architectural style, roof pitches, etc.—will be reviewed by the city as part of a future detailed development application. That application will be a land use review that will require public notice, and is appealable to the planning commission. The concept master plan is focused on long-term build-out of the site and potential impacts to surrounding infrastructure.

The approximate size of this building—and all structures—was listed in the applicant’s September 2010 submittal (see pages 9-11). Oregon City code only requires “The approximate projected location, footprint and building square footage of each phase of proposed development.” The location is shown on the site plan. The footprint of the first phase of the chemical storage building is 40 feet by 100 feet, and the second phase is an additional 75 feet. The total square footage of this structure at full build-out is 7,000 square feet. Though not explicitly required, the application materials also list the height of the building as 20 feet above grade, and that it will be constructed of block masonry, with a pitched roof. It also states that landscaping will be planted between the building and the street per city regulations (17.65.050.A.1) to cover 100 percent of the area shown on the submitted figure. Elsewhere in the application, it is explained that the structure will be set back at least 20 feet from the Thurman Street property line.

There are already reasonable limitations on the size of the proposed structures. The detailed development plan requires that the floor area of the structure may not increase more than 10 percent

over the size listed in the general development plan without a Type III amendment (17.65.80.B.6). It should be noted that the proposed height of the new structures is about 20 feet, which is shorter than the existing houses across Thurman Street, and 15 feet shorter than the what the code allows outright in the R-10 zone.

Because of the location of the building, and at staff's suggestion, we agree that some of the design standards in 17.62.055 could be applied to the street-facing façade of the new building. The design sections on massing (17.62.055.G), wall articulation (17.62.055.H), and roof treatments (17.62.055.J) could reasonably apply to the north side of the proposed structure. The applicant would accept a condition of approval to carve these requirements out of the requested adjustment to building standards and make them apply to this particular building frontage.

Landscaping Buffer

In the hearing on February 28, commissioners also expressed interest in the landscaping buffer between Thurman Street right of way and the proposed new chemical storage building. The proposed change to the design standards applicable to the north façade of the building may already address these concerns.

A species and location-specific planting plan for the landscaping in this location has not been prepared for the general development plan, but is part of the detailed development plan submittal. The September 2010 application generally addressed the landscaping in this location. In that submittal, the following restriction was proposed for the area between the proposed building and the street.

“Future landscaped areas will comply with Subsection 17.62.050.A.1 (2010). The landscaping plan will 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.” (Application Figure 5, Note 1)

To increase the ability of this landscape buffer to block views of the proposed building from the street, the applicant would accept an additional provision that: the submitted landscape plan for the area identified be developed with the intent of screening the north façade of the new building to at least 50 percent sight-obscuring from the street by vegetation at full maturity.