



CITY OF OREGON CITY

CITY COMMISSION REGULAR MEETING -

2ND REVISED

AGENDA

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, December 15, 2021 at 7:00 PM

EXECUTIVE SESSION OF THE CITY COMMISSION

The Executive Session will begin immediately after the adjournment of the regular meeting:

- *Pursuant to ORS 192.660(2)(f): To consider information or records that are exempt by law from public inspection; and*
- *Pursuant to ORS 192.660(2)(h): To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.*

REGULAR MEETING OF THE CITY COMMISSION

Ways to participate in this public meeting:

- *Attend in person, location listed above*
- *Register to provide electronic testimony (email recorderteam@orcity.org or call 503-496-1509 by 3:00 PM on the day of the meeting to register)*
- *Email recorderteam@orcity.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)*
- *Mail to City of Oregon City, Attn: City Recorder, P.O. Box 3040, Oregon City, OR 97045*

- 1. CONVENE MEETING AND ROLL CALL**
- 2. FLAG SALUTE**
- 3. CEREMONIES AND PROCLAMATIONS**
- 4. CITIZEN COMMENTS**

Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Commission does not generally engage in dialog with those making comments but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Commission.

- 5. PRESENTATIONS**

[5a.](#) USS Oregon (SSN 793) Presentation by Steven Daniels

6. ADOPTION OF THE AGENDA

7. CONSENT AGENDA

This section allows the City Commission to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may only be discussed if it is pulled from the consent agenda.

[7a.](#) IGA with ODOT for Willamette Falls Path and OR 99E Enhancement Project (CI 22-002)

[7b.](#) Personal Services Agreement with DKS Associates, Inc for the Beavercreek Road All Roads Transportation Safety (ARTS) Project (CI 21-006)

[7c.](#) Professional Services Agreement Between the City of Oregon City and Kimberly Graves for Prosecution Services

[7d.](#) Public Improvement Contract with Black Rock Underground, LLC for the Sanitary Sewer I/I Rehabilitation – Rivercrest Basin Project: Phase 1 (CI 20-010)

[7e.](#) Minutes of the October 20, 2021 Regular Meeting

[7f.](#) Minutes of the November 9, 2021 Work Session

8. PUBLIC HEARINGS

[8a.](#) Second Reading of Ordinance 21-1014, Legislative Application for Housing Needs Analysis (GLUA 21-00057 and LEG 21-00004)

[8b.](#) First Reading of Ordinance 21-1016, the Adoption of Park Place Urbanization Plan, an Amendment to the Transportation System Plan (LEG-21-00003)

9. GENERAL BUSINESS

[9a.](#) Resolution 21-58, Recognizing the Renaming of Barclay Hills Neighborhood Association to Elyville Neighborhood Association

10. COMMUNICATIONS

City Manager

Commissioners

Mayor

11. ADJOURNMENT

PUBLIC COMMENT GUIDELINES

Complete a Comment Card prior to the meeting and submit it to the City Recorder. When the Mayor/Chair calls your name, proceed to the speaker table, and state your name and city of residence into the microphone. Each speaker is given three (3) minutes to speak. To assist in tracking your speaking time, refer to the timer on the table.

As a general practice, the City Commission does not engage in discussion with those making comments. Electronic presentations are permitted but shall be delivered to the City Recorder 48 hours in advance of the meeting.

ADA NOTICE

The location is ADA accessible. Hearing devices may be requested from the City Recorder prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.

Agenda Posted at City Hall, Pioneer Community Center, Library, City Website.

Video Streaming & Broadcasts: The meeting is streamed live on the Oregon City's website at www.orcity.org and available on demand following the meeting. The meeting can be viewed on Willamette Falls Television channel 28 for Oregon City area residents as a rebroadcast. Please contact WFMC at 503-650-0275 for a programming schedule.

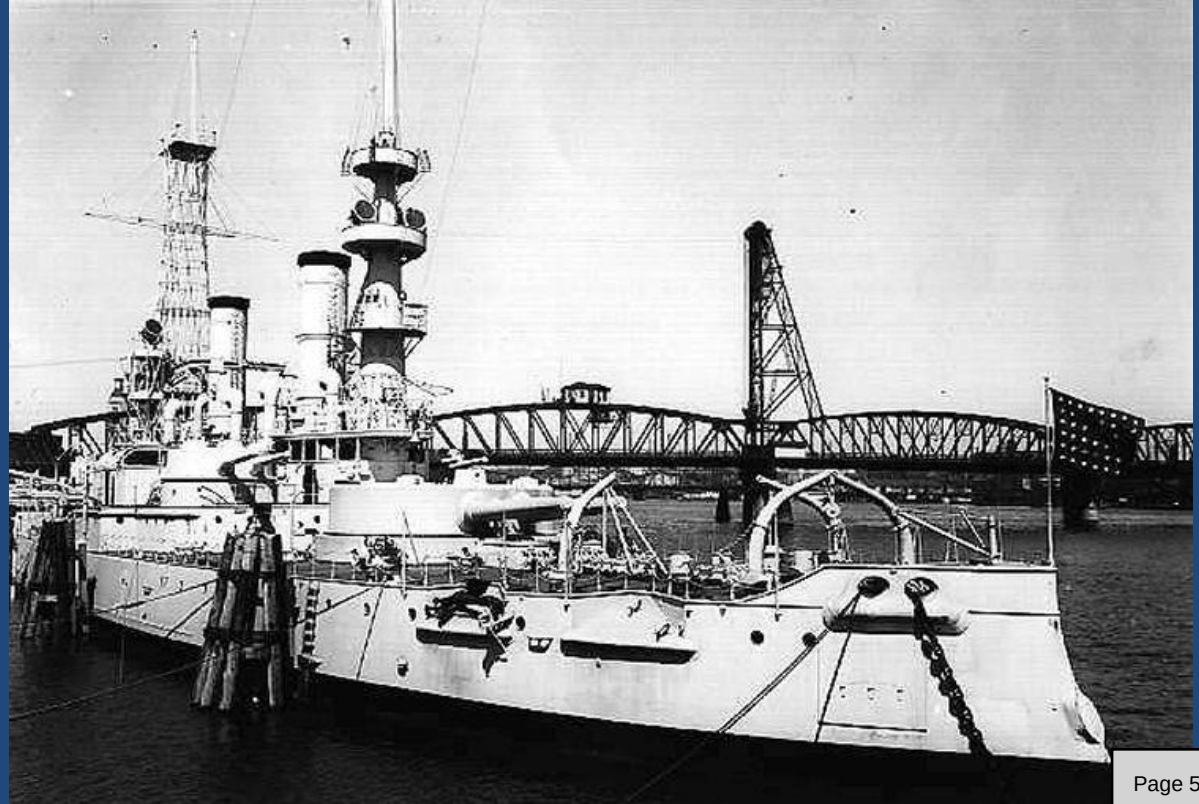
USS OREGON SSN 793



USS OREGON (SSN-793)

USS Oregon BB-3 first ship named for the state

- Namesake: State of Oregon
- Ordered: 30 June 1890
- Builder: Union Iron Works
- Laid down: 19 November 1891
- Launched: 26 October 1893
- Sponsored by: Daisy Ainsworth
- Commissioned: 15 July 1896
- Decommissioned: 27 April 1906
- Struck: 2 November 1942
- Identification: Hull symbol: BB-3
- Nickname(s): *Bulldog of the Navy*





Battleship USS Oregon (BB-3)

Known as the *Bulldog of the Navy* because her high bow wake — known as “having a bone in her teeth” in nautical slang — and her perseverance during the cruise around South America and the battle of Santiago

Submarine History

Item 5a.

- 1st successful submarine, USS Holland, purchased by the Navy in 1900
- In WW II sank 5.3M tons Japanese shipping severely impacting flow of war materials. Had about 250 submarines by end of war. Some 16,000 sailors conducted 1,700 war patrols. This force, representing less than 2% of the Navy, accounted for 55% of the Japanese maritime losses.
- 52 submarines did not return, with a loss of over 3,400 lives
- 1st nuclear submarine USS Nautilus commissioned in 1955. Now our entire sub fleet is nuclear
- At height of cold war U. S. had about 100 attack subs and 41 missile subs

Page 7

USS Holland (SS-1)

Item 5a.

USS Holland (SS-1) was the United States Navy's first modern commissioned submarine, although not the first military submarine of the United States, which was the 1775 submersible Turtle.

Keel laid: Nov 1896

Launched: May 17, 1897



Page 8

The Secretary of the Navy Ray Mabus visits Oregon to announce the construction of the Submarine USS OREGON SSN-793 at the Battleship Oregon Memorial

Item 5a.

October 10, 2014 - Secretary of the Navy (SECNAV) Ray Mabus unveils the future Virginia-class submarine USS Oregon (SSN-793) at the Battleship Oregon Memorial at Gov. Tom McCall Waterfront Park as Mayor of Portland Charlie Hales looks on.



Page 9

Current Submarine Classes

Item 5a.

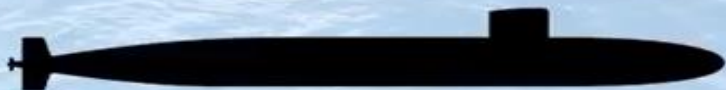


Ohio class

Length: 560 feet, Beam: 42 feet

Displacement: Approximately 18,750 tons submerged

Speed: 20+ knots



Los Angeles class

Length: 360 feet, Beam: 33 feet

Displacement: Approximately 6,900 tons submerged

Speed: 20+ knots



Seawolf class

Length: SSNs 21 & 22: 353 feet; SSN 23: 453 feet, Beam: 40 feet

Displacement: SSNs 21 & 22: approximately 9,100 tons submerged; SSN 23 approximately 12,200 tons submerged

Speed: 25+ knots



Virginia class

Length: 377 feet, Beam: 34 feet

Displacement: Approximately 7,800 tons submerged

Speed: 25+ knots

Page 10

VIRGINIA CLASS IMPROVEMENTS

Item 5a.

- Have “photonic masts” instead of traditional periscopes-allows more flexibility in design of the ship.
 1. Masts contain high-resolution cameras with-intensification and infrared sensors, an infrared laser rangefinder, and an integrated Electronic Support Measures (ESM) array.
- Reactor core (fuel) is Life of Ship, no refueling required.
 1. Refueling requires extensive shipyard time to cut hole in pressure hull to remove and replace core.
- New “Pump-jet” propulsor for quieting instead of traditional propeller.
- Reconfigurable Torpedo Room to support SEAL Ops.
- Lock-in/lock-out chamber.
- Fly-by-wire control system for improved shallow water depth control.
- Block III improvements:
 1. New Sonar Array-Large Aperture Bow (LAB) Array (Block IV)
 2. Two large diameter Virginia Payload Tubes (VPT) each canister capable of holding six Tomahawk cruise missiles.

Page 11



Keel Laying is the start of construction of a Navy Ship

Sponsor Mrs. Dana L Richardson signed the keel of the USS Oregon at 10:00 am, July 8, 2017 at the Quonset Point Facility of General Dynamics Electric Boat in North Kingstown, Rhode Island.

Page 12

It takes about five years to build a submarine.

Teaming arrangement between Newport News Shipbuilding and General Dynamics Electric Boat.

Modules are fabricated at Newport News, VA and Quonset Point , RI.

Modules are then shipped by barge to final construction yard; for Oregon this is General Dynamics Electric Boat, Groton, CT.



Construction Process

Item 5a.



"Trail Blazers"

USS OREGON (SSN-793) COMMISSIONING COMMITTEE

Page 14



Construction Process

Item 5a.





Modular Construction

Item 5a.



Sections 6 and 7
990 tons



Sections 8 and 9
1,595 tons





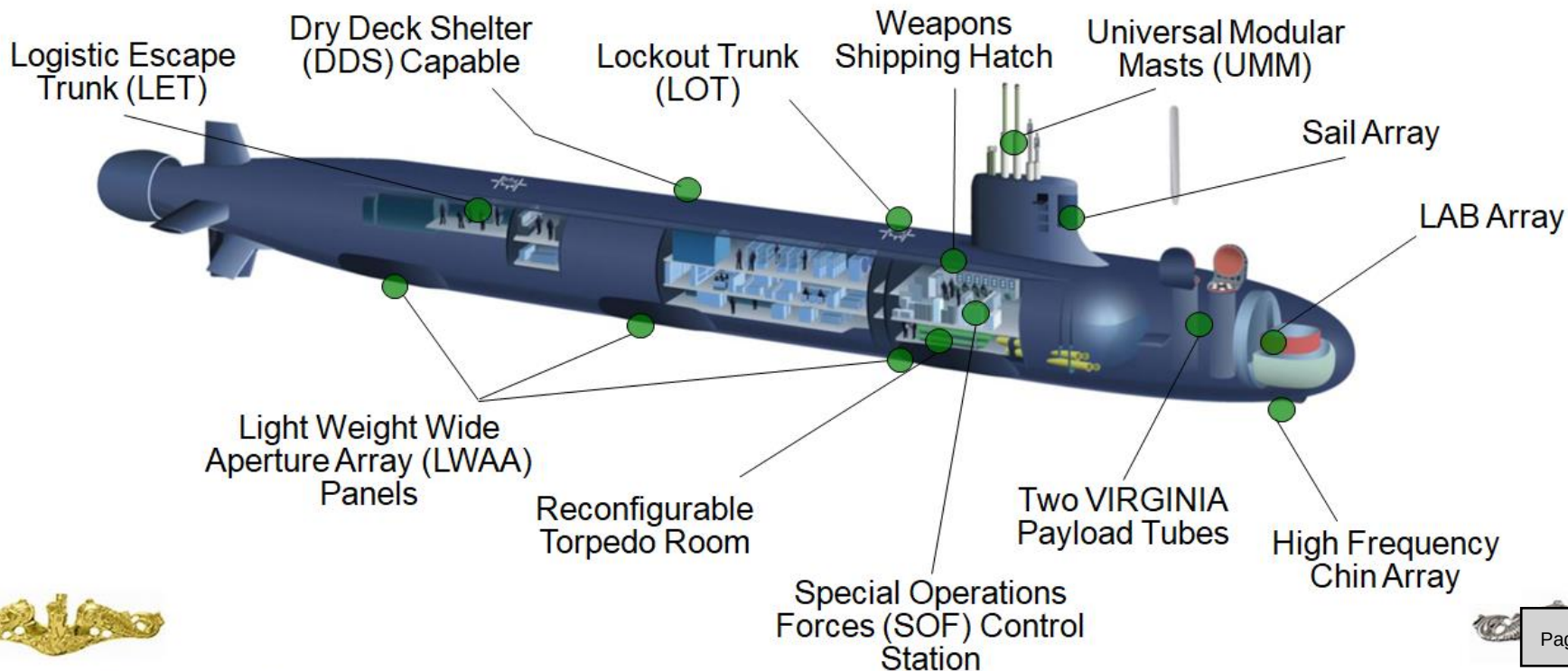
Item 5a.

Page 17



Improved Technology

Item 5a.



Page 18

SSN Missions

Item 5a.

- Anti-Submarine – seek out and destroy enemy submarines
- Anti-Surface – seek out and destroy enemy surface ships
- Strike – project power ashore with Tomahawk missiles
- Special Operations - launch SEALs
- ISR – carry out Intelligence, Surveillance and Reconnaissance operations
- Support Battle Group Operations
- Mine Warfare – capability to launch mines
- Routinely 60-70 days port to port operations and six to seven months away from home port. Limiting factor is amount of food ship can carry

Page 19

USS Oregon Crew visit November 2018

Battleship USS Oregon (BB-3) Mast

OMSI-Blueback Submarine



USS Oregon Sponsor Mrs. Dana L Richardson at Battleship Oregon Shield



Crew at Battleship Oregon mast



Crew members of USS Oregon (SSN-793) at
Battleship Oregon (BB-3) mast crows nest



USS Oregon crew at Ex_USS Blueback (SS 581)



Item 5a.

Crew Visit – Fleet Week 2019

Page 25



Oregon State Flag flown over Capitol Building – Presented to Crew

Oregon crew with Miss Oregon – Taylor Ballard



Rose Festival Grand Floral Parade – June 8, 2019

Oregon

(SSN 793)
CHRISTENING CEREMONY

10.5.19



Christening

OREGON

Ship Sponsor

Dana Richardson



Saturday October 5, 2019





Item 5a.

Page 31



Item 5a.

Page 32

USS OREGON (SSN-793) COMMISSIONING COMMITTEE

Welcome to the Christening of
USS Oregon (SSN 793) -
GD / EB President,
Kevin Graney

Item 5a.



Saturday Octo

GENERAL DYNAMICS
Electric Boat

GEN
Electr



GENE
Electric B

Saturday October

EB
Electric Boat

GENERAL DYNAMICS

USS OREGON (SSN-793) COMMISSIONING COMMITTEE



Item 5a.

Page 35



Item 5a.

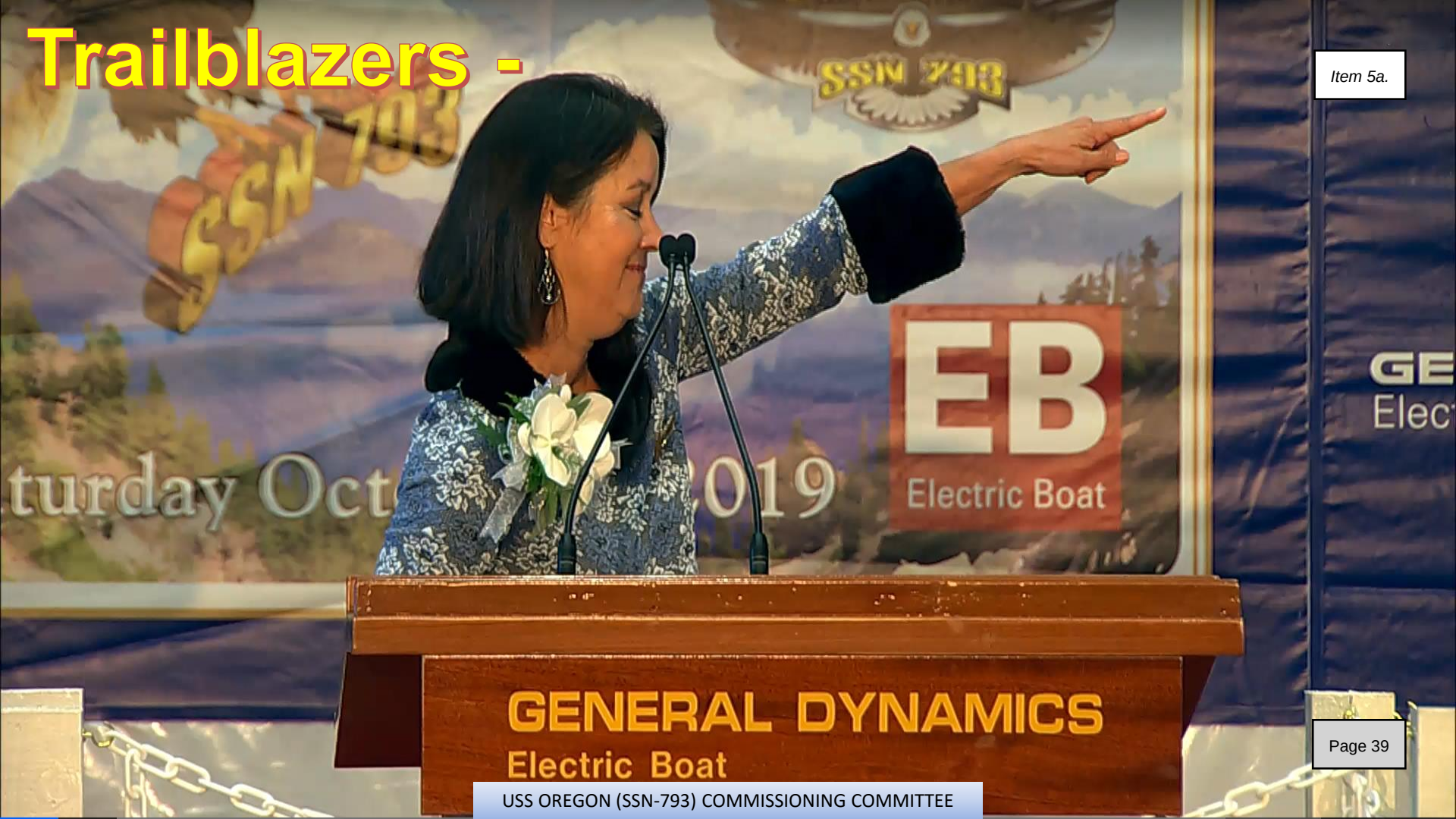
Page 36

SSN OREGON 793
GENERAL DYNAMICS
Electric Boat

**Kevin Graney introduces Oregon
Sponsor – Dana Richardson**

Trailblazers -

Item 5a.



GENERAL DYNAMICS
Electric Boat

USS OREGON (SSN-793) COMMISSIONING COMMITTEE

Page 39

Mount Up -



Item 5a.

Page 41

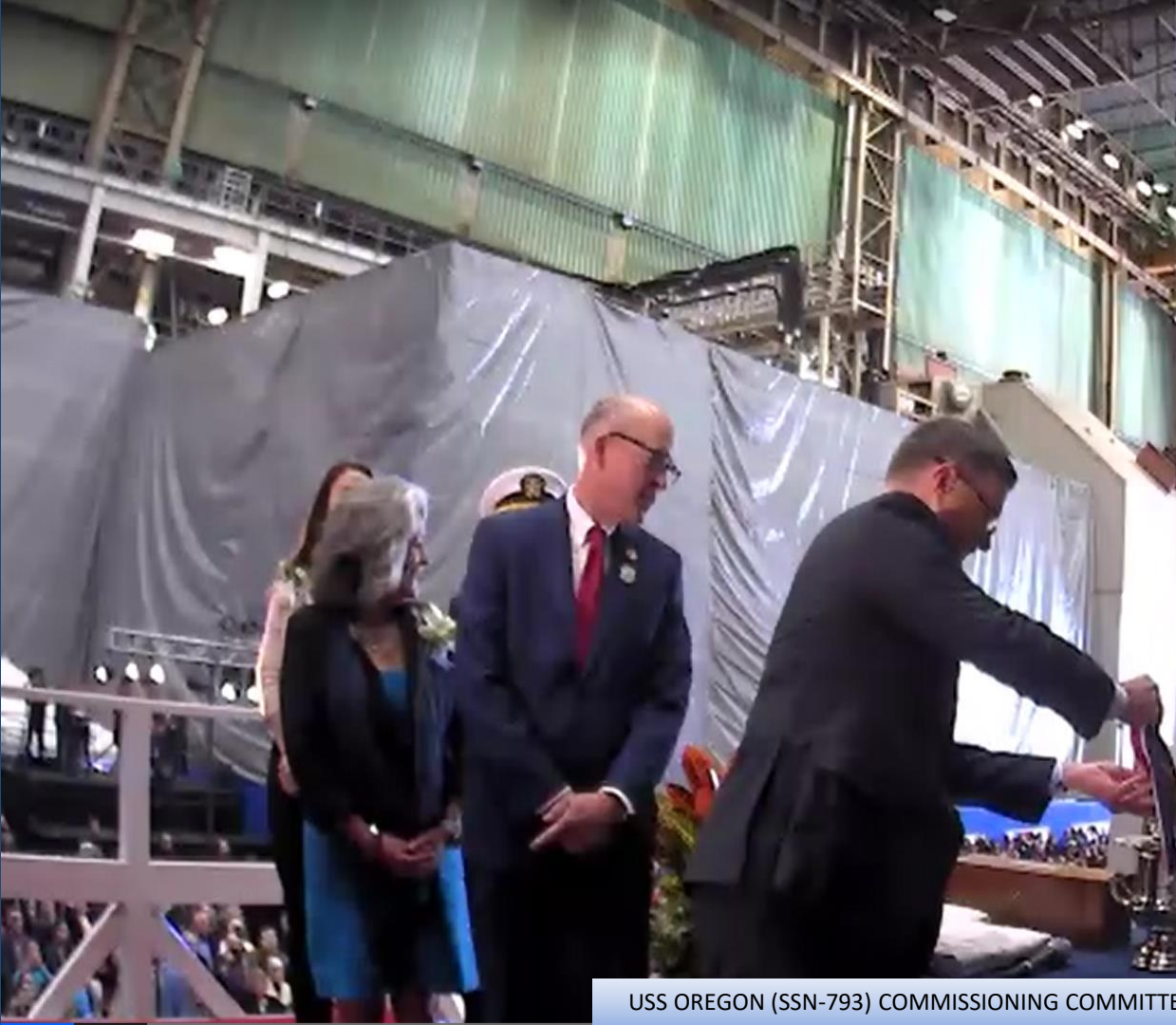
"IN THE NAME OF THE
UNITED STATES, I CHRISTEN
THEE OREGON.
MAY GOD BLESS HER
AND ALL THAT SAIL IN HER"

Item 5a.

USS OREGON (SSN-793) COMMISSIONING COMMITTEE

Page 42

"IN THE NAME OF THE
UNITED STATES, I CHRISTEN
THEE OREGON,
MAY GOD BLESS HER
AND ALL THAT SAIL IN HER"



Item 5a.

Page 44



USS OREGON (SSN-793) COMMISSIONING COMMITTEE



Item 5a.



USS OREGON (SSN-793) COMMISSIONING COMMITTEE



Item 5a.



Item 5a.





Item 5a.



Item 5a.



Item 5a.

Page 51



Item 5a.

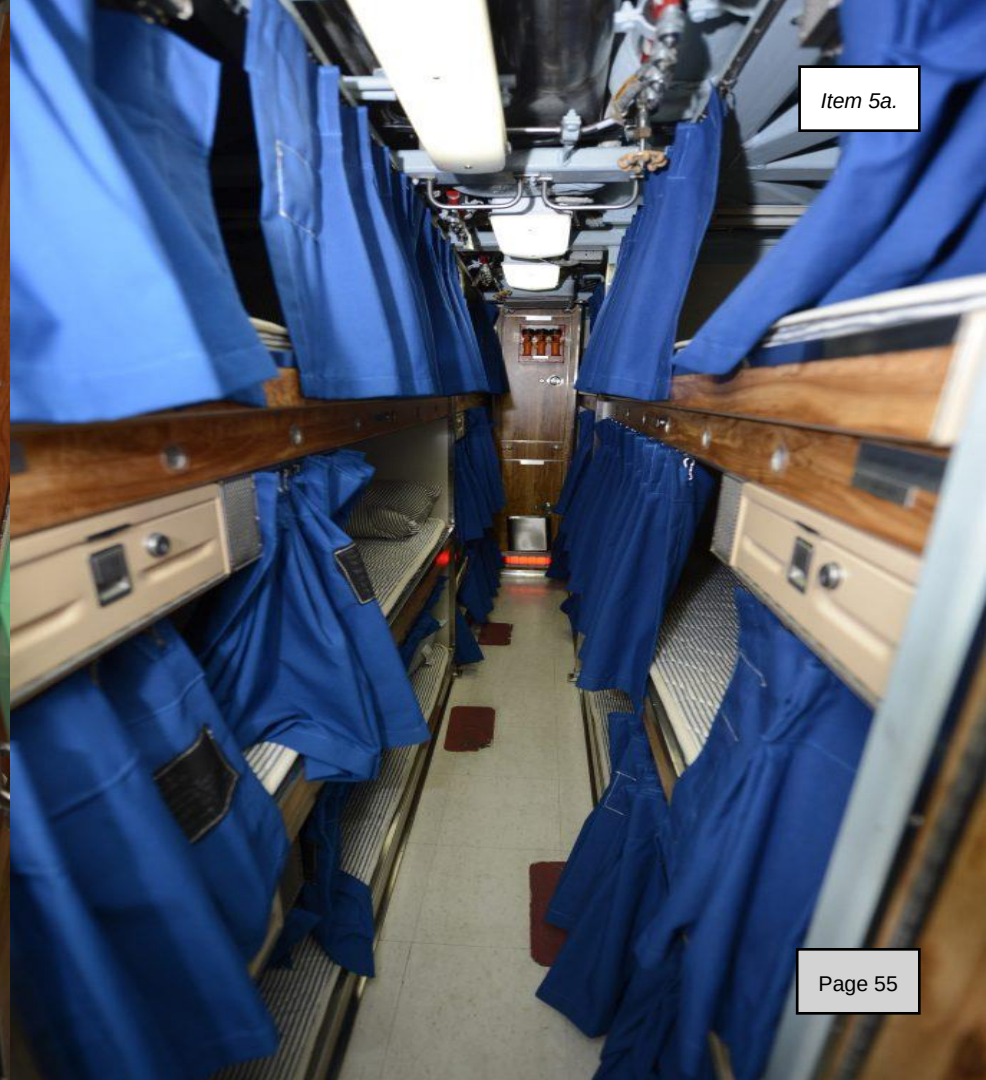


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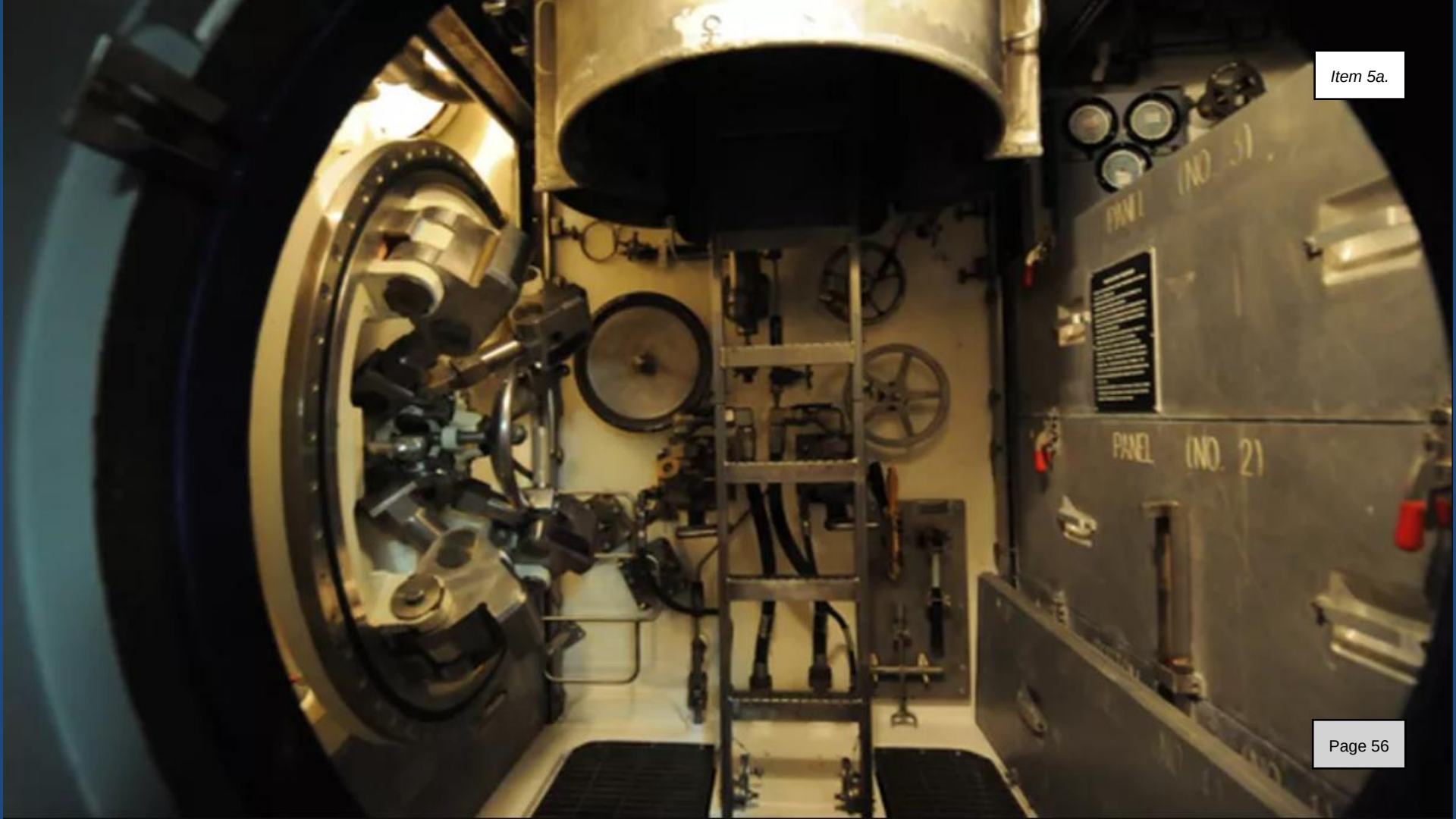
Page 53



Item 5a.

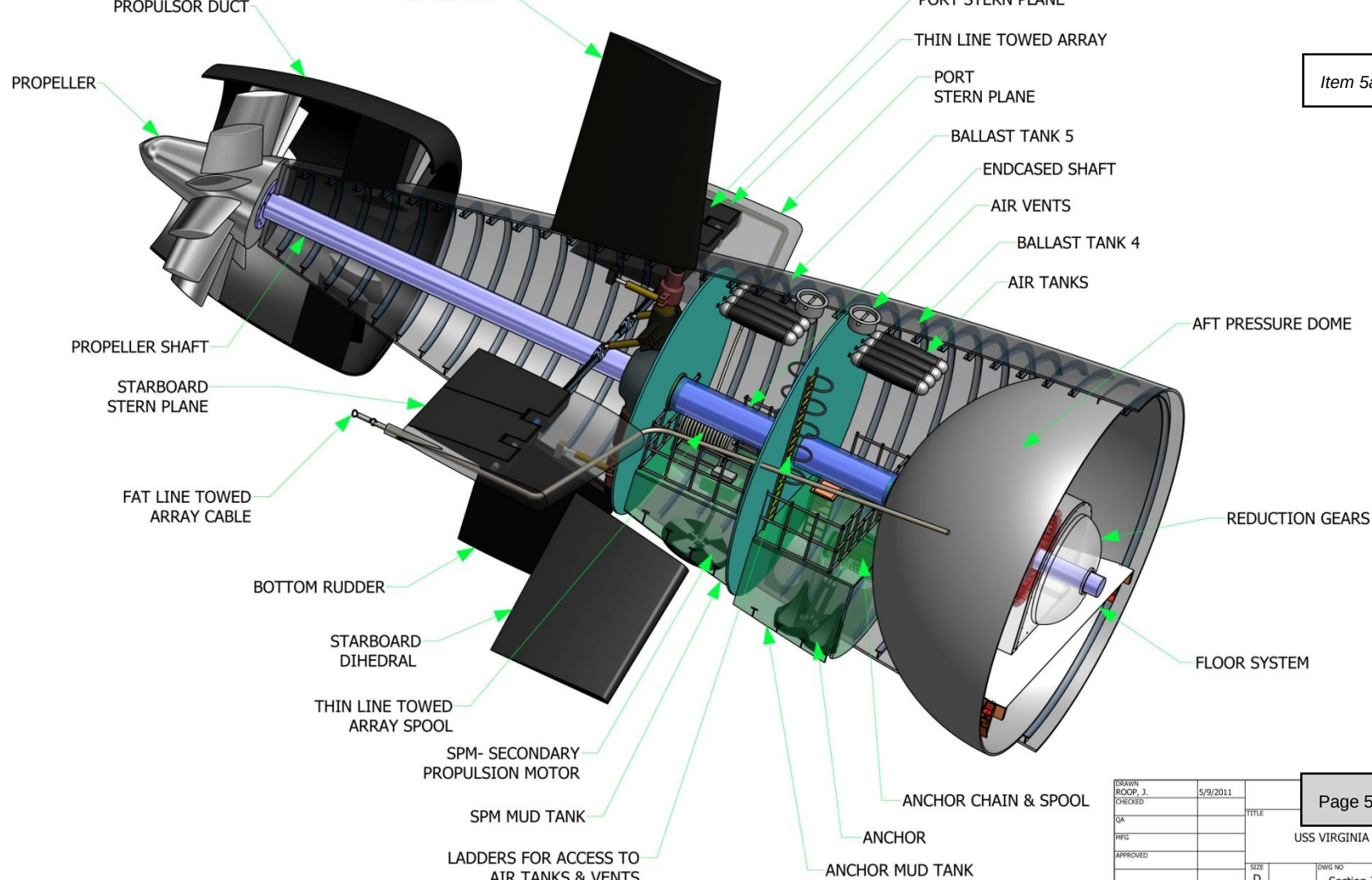


Item 5a.



Item 5a.

Page 56

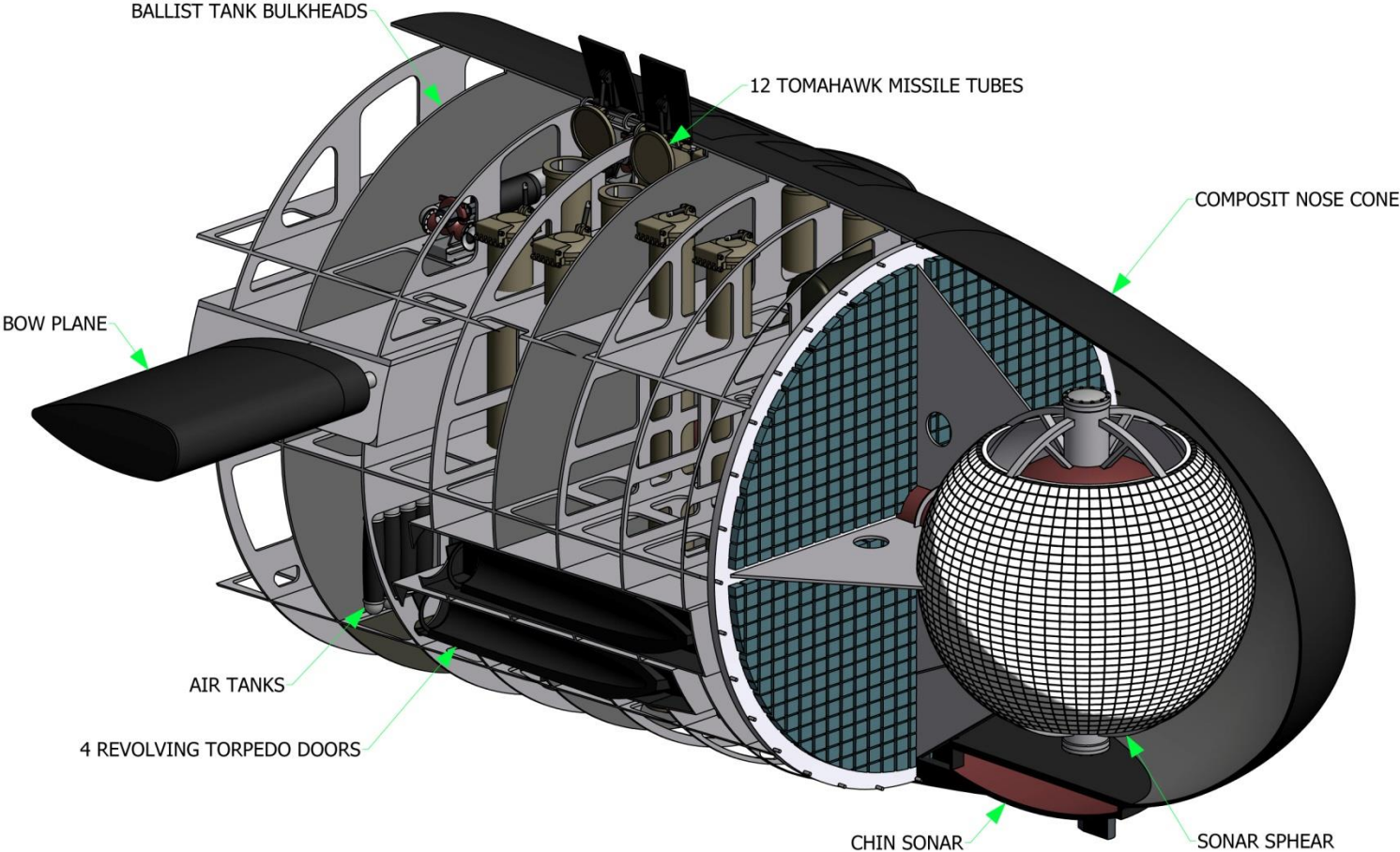


Item 5a.

Page 57

USS VIRGINIA (SSN 774)

DRAWN	ROOP, J.	5/9/2011	TITLE	COLLEGE
CHECKED	QA			
APPROVED	PHG			
			SIZE	DWG NO.
			D	Section 3, Stern



Commissioning Committee

- Purpose of Commissioning Committee:
 - Raise awareness within the state about the construction and commissioning. Create enthusiasm and support.
 - Promote relations between the state and the ship's crew. Initiate a long-term relationship.
 - Coordinate activities surrounding the commissioning.
 - Raise funds and finance traditional events and activities associated with these objectives.

Commissioning a Boat

Item 5a.

Responsibility of the Commissioning Committee:

We must point out that the US Government (US Navy) is only allowed to pay for the commissioning ceremony itself and cannot fund any of the traditions which accompany a commissioning. We raise funds to support the Oregon Crew and this allows them to follow the customs and traditions set forth in the past for commissioning of active Navy ships.

Traditional items that we fund:

Each crew member receives a “Plank Owners Plaque” —

What is a “Plank Owner”? In time-honored tradition dating back to wooden ships, the officers and crew who are serving aboard a ship, at the time of commissioning, have earned the title of “Plank Owner”. Every member of the commissioning crew of the USS Oregon (SSN-793) will hold the honorary distinction for life “... and is hereby granted clear, free, open and unencumbered title to one plank of the deck”. In our modern Navy, this is represented by the “Plank Owners Plaque”.

The Commanding Officer’s Reception —

At this reception the Commanding Officer thanks the families of the crew, the boat’s sponsor, the builders of the boat, and the Commissioning Committee for their work in the construction of the boat and bringing it to life in the active fleet.

The Boat’s Sponsors Luncheon —

This luncheon provides an opportunity to honor the Sponsor and her family. As the tradition states, her spirit and presence will guide the boat throughout its service in the Navy.

The Commissioning Chairman’s Reception —

This Reception allows the Commissioning Committee to follow tradition and toast the impending commissioning. Thanks, are given to the Sponsor, the Donors, the government officials, the builders of the boat, the Commanding Officer and the crew, and the entire commissioning committee for their work in bringing the boat to life. Any gift to the boat and the crew is given at this dinner.

The Pre-Commissioning Breakfast —

This allows a gathering place and briefing before the commissioning ceremony for the Platform guests and other VIP’s.

Post-Commissioning Reception —

Pier side after the ceremony has been completed this reception culminates the Navy tradition, the official placing of the boat into the US Navy Fleet.

Page 60

USS Oregon (SSN-793) Commissioning Donation Levels

Item 5a.

Admiral: (\$25,000 and above)

Memorabilia, Recognition, and Invitations at the donor's request.

Captain: (\$10,000)

Recognition in Commemorative Program

Website Logo Placement

Honorary Plank Owner's Plaque (4)

USS Oregon Challenge Coin (6)

USS Oregon Lapel Pin (8)

At Commissioning:

Invitation Chairman's Reception (8)

Invitation VIP Breakfast Reception (4)

VIP Seating (4)

Post Commissioning Lunch

or

Invitation to Chairman's Reception/Simulcast in Oregon of Commissioning Ceremony (8)

Commander: (\$5,000)

Recognition in Commemorative Program

Website Mention

Honorary Plank Owner's Plaque (2)

USS Oregon Challenge Coin (4)

USS Oregon Lapel Pin (6)

At Commissioning:

Invitation to Chairman's Reception (4)

VIP Seating (4)

Post Commissioning Lunch

or

Invitation to Chairman's Reception/Simulcast in Oregon of Commissioning Ceremony (6)

Lieutenant Commander: (\$2,500)

Recognition in Commemorative Program

Website Mention

Honorary Plank Owner's Plaque (1)

USS Oregon Challenge Coin (2)

USS Oregon Lapel Pin (4)

At Commissioning:

Invitation to Chairman's Reception (2)

VIP Seating (2)

Post Commissioning Lunch

or

Invitation to Chairman's Reception/Simulcast in Oregon of Commissioning Ceremony (4)

Lieutenant: (\$1,000)

Recognition in Commemorative Program

Website Mention

Honorary Plank Owner's

Recognition Plaque (1)

USS Oregon Challenge Coin (1)

USS Oregon Lapel Pin (2)

At Commissioning:

Invitation to Chairman's Reception (2)

VIP Seating (2)

Post Commissioning Lunch

or

Invitation to Chairman's Reception/Simulcast in Oregon of Commissioning Ceremony (2)

Lieutenant Junior Grade: (\$500)

Recognition in Commemorative Program

Website Mention

Honorary Plank Owner's Plaque (1)

USS Oregon Challenge Coin (1)

USS Oregon Lapel Pin (1)

At Commissioning:

Post Commissioning Lunch

Ensign: (\$250)

Recognition in Commemorative Program

Honorary Plank Owner's

Certificate (1)

USS Oregon Challenge Coin (1)

USS Oregon Lapel Pin (1)

At Commissioning:

Post Commissioning Lunch

Chief of the Boat: (\$100)

Recognition in Commemorative Program

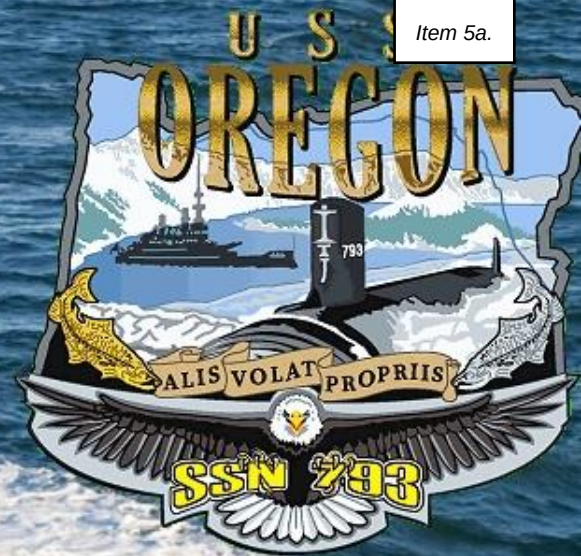
USS Oregon Lapel Pin (1)

At Commissioning:

Post Commissioning Lunch

BE A PART OF
THE OREGON'S
COMMISSIONING

WWW.USSOREGONSSN793.ORG



Item 5a.

Page 62



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 12/15/2021

SUBJECT:

IGA with ODOT for Willamette Falls Path and OR 99E Enhancement Project (CI 22-002)

STAFF RECOMMENDATION:

Authorize approval of the Miscellaneous Contract and Agreement No. 35219/73000 with the Oregon Department of Transportation for the Willamette Falls Path/OR 99E Enhance: 10th Street – Railroad Avenue Project (CI 22-002).

EXECUTIVE SUMMARY:

Oregon City was awarded a Metro Regional Flexible Funds (RFFA) Grant to complete planning work for the project locally referred to as the Willamette Falls Shared Use Path along McLoughlin Boulevard. Approving the Miscellaneous Contract and Agreement will allow ODOT and the City to move forward into the consultant procurement phase.

BACKGROUND:

In June 2019, Oregon City nominated the Willamette Falls Shared Use Path and OR 99E Corridor Enhancement Project for the RFFA Grant Program. The project scored well in the technical evaluation process, and also received positive comments during the public comment process. The project was also well received during the subregional prioritization process with C4.

On January 16, 2020, Metro Council awarded Oregon City a \$673,000 grant to assist the City in project development of the Willamette Falls Shared Use Path and OR 99E Corridor Enhancement Project. The total project cost is \$750,028.00, with the City match of \$77,027.88. The project is located on OR 99E, or more commonly referred to as McLoughlin Boulevard, which is an Oregon Department of Transportation facility. The corridor is identified as a Regional Bikeway and Pedestrian Parkway, and a frequent transit service runs parallel to the corridor. This remaining phase of the McLoughlin Boulevard Enhancement Plan has been the most complicated to complete as it is interwoven with the OR 99E viaducts and it crosses the Hwy 43 bridge

alignment. Lack of proper lighting, crumbling sidewalks not wide enough to provide a barrier from adjacent fast-moving traffic, and dilapidated railings make transit users and pedestrians feel unsafe.

The project has two main goals that address barriers to investing and revitalizing properties that front McLoughlin Boulevard in Oregon City:

- Close the gap and provide safe pedestrian and bicycle access.
- Provide a complete street design for McLoughlin Boulevard from 10th Street to the 99E tunnel.

In 2005, the McLoughlin Boulevard Enhancement Plan, which completed the Planning Phase and Alternatives Identification and Evaluation, was adopted. Since then, we have completed Phase 1 and Phase 2 of this key corridor. The plan assumed the viaducts (located between 8th Street and 10th Street) would be replaced in the near future, allowing the identified cross sections to be implemented. However, the viaducts are not expected to be replaced with a widened structure that would support the widened sidewalk, so we need to update the options within this section of the corridor to provide needed bicycle and pedestrian access. This grant funding will allow the City to complete the Alternatives Identification and Evaluation to determine how we address this critical gap in our active transportation network. Once a preferred alternative is identified, we would continue forward with Preliminary Design to 30%.

OPTIONS:

1. Authorize the City Manager to execute the Miscellaneous Contract and Agreement.
2. Deny the Miscellaneous Contract and Agreement. If the Commission chooses to deny the Miscellaneous Contract and Agreement, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount: \$77,027.88

FY(s): FY 21/22 & 22/23

Funding Source(s): Transportation SDC

A156-G080719

**ODOT Delivered Project Federal Project
On Behalf of the City of Oregon City**

Project Name: Willamette Falls Path/OR 99E Enhance: 10th St - Railroad Ave

Key Number: 22142

THIS AGREEMENT ("Agreement") is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State" or "ODOT," and the **CITY OF OREGON CITY**, acting by and through its elected officials, hereinafter referred to as "Agency," both herein referred to individually as "Party" or collectively as "Parties."

RECITALS

1. By the authority granted in Oregon Revised Statute (ORS) 190.110, 366.572 and 366.576, state agencies may enter into cooperative agreements with counties, cities and units of local governments for the performance of any or all functions and activities that a party to the Agreement, its officers, or agents have the authority to perform.
2. McLoughlin Boulevard (OR99E) from 10th Street to the OR99E tunnel is a part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission (OTC).
3. Agency has agreed that State will deliver this project on behalf of the Agency.
4. The Project was selected as a part of the Metro Regional Flexible Funds (RFFA) and includes federal funds. "Project" is defined under Terms of Agreement, paragraph 1 of this Agreement.
5. The Stewardship and Oversight Agreement On Project Assumption and Program Oversight By and Between Federal Highway Administration, Oregon Division and the State of Oregon Department of Transportation ("Stewardship Agreement") documents the roles and responsibilities of the State with respect to project approvals and responsibilities regarding delivery of the Federal Aid Highway Program. This includes the State's oversight and reporting requirements related to locally administered projects. The provisions of that agreement are hereby incorporated and included by reference.

NOW THEREFORE the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Parties hereto as follows:

TERMS OF AGREEMENT

1. Under such authority, Agency and State agree to State delivering a planning project which includes work necessary to complete the Alternatives Identification & Evaluation, and then move forward to Preliminary Design (up to 30%) to construct future Willamette Falls Shared Use Path and OR 99E (McLoughlin Blvd) pedestrian, bicycle, and streetscape enhancements between 10th Street and Railroad Ave. This will provide a safe route for pedestrians and bicyclists between OR 99E and Willamette Falls Riverwalk, hereinafter referred to as

“Project.” The location of the Project is approximately as shown on the map attached hereto, marked "Exhibit A," and by this reference made a part hereof.

2. Agency agrees that, if State hires a consultant to design the Project, State will serve as the lead contracting agency and contract administrator for the consultant contract related to the work under this Agreement.
3. The total Project cost is estimated at \$750,028.00, which is subject to change. Federal funds for this Project shall be limited to \$673,000.12. Agency shall be responsible for all remaining costs, including any non-participating costs, all costs in excess of the federal funds, and the 89.73 percent match for all eligible costs. Any unused funds obligated to this Project will not be paid out by State, and will not be available for use by Agency for this Agreement or any other projects. “Total Project Cost” means the estimated cost to complete the entire Project, and includes any federal funds, state funds, local matching funds, and any other funds.
4. Federal funds under this Agreement are provided under Title 23, United States Code.
5. ODOT considers Agency to be a third party under this Agreement. The Catalog of Federal Domestic Assistance (CFDA) number for this Project is 20.205, title Highway Planning and Construction.
6. With the exception of Americans with Disabilities Act of 1990 (ADA) related design standards and exceptions, State shall consult with Agency on Project decisions that impact Total Project Cost involving the application of design standards, design exceptions, risks, schedule, and preliminary engineering charges, for work performed on roadways under local jurisdiction. State will allow Agency to participate in regular meetings and will use all reasonable efforts to obtain Agency’s concurrence on plans. State shall consult with Agency prior to making changes to Project scope, schedule, or budget. However, State may award a construction contract at ten (10) percent (%) over engineer’s estimate without prior approval of Agency.
7. State will submit the requests for federal funding to Federal Highway Administration (FHWA). The federal funding for this Project is contingent upon approval of each funding request by FHWA. Any work performed outside the period of performance or scope of work approved by FHWA will be considered nonparticipating and paid for at Agency expense.
8. Agency guarantees the availability of Agency funding in an amount required to fully fund Agency’s share of the Project.
9. The term of this Agreement shall begin on the date all required signatures are obtained and shall terminate upon completion of the Project and final payment or ten (10) calendar years following the date all required signatures are obtained, whichever is sooner.
10. This Agreement may be terminated by mutual written consent of both Parties.
11. State may terminate this Agreement effective upon delivery of written notice to Agency, or at such later date as may be established by State, under any of the following conditions:

- a. If Agency fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
 - b. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within ten (10) days or such longer period as State may authorize.
 - c. If Agency fails to provide payment of its share of the cost of the Project.
 - d. If State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement.
 - e. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or if State is prohibited from paying for such work from the planned funding source.
12. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.
13. Information required by 2 Code of Federal Regulation (CFR) 200.331(a)(1) shall be contained in the USDOT FHWA Federal Aid Project Agreement for this Project, a copy of which shall be provided by ODOT to Agency with the Notice to Proceed.
14. Americans with Disabilities Act Compliance:
 - a. The Parties shall utilize ODOT standards to assess and ensure that the Project and all component activities comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended (together, "ADA"), including ensuring that all plans and proposed alternatives for future design or construction of pedestrian, bicycle, and transit routes and facilities will result in ADA-compliant facilities and improvements.
 - b. Agency shall ensure that temporary pedestrian routes are provided through or around any Project work zone where Agency is performing work. Any such temporary pedestrian route shall include directional and informational signs, comply with ODOT standards, and include accessibility features equal to or better than the features present in the existing pedestrian facility. Agency shall also ensure that advance notice of any temporary pedestrian route is provided in accessible format to the public, people with disabilities, and disability organizations at least 10 days prior to the establishment of any work zone.
15. State shall ensure compliance with the Cargo Preference Act and implementing regulations (46 CFR Part 381) for use of United States-flag ocean vessels transporting materials or equipment acquired specifically for the Project. Strict compliance is required, including but not limited to the clauses in 46 CFR 381.7(a) and (b) which are incorporated by reference. State shall also include this requirement in all contracts and ensure that contractors include the requirement in their subcontracts.

16. Agency grants State the right to enter onto Agency right of way for the performance of duties as set forth in this Agreement.
17. The Special and Standard Provisions attached hereto, marked Attachments 1 and 2, respectively, are by this reference made a part hereof. The Standard Provisions apply to all federal-aid projects and may be modified only by the Special Provisions. The Parties hereto mutually agree to the terms and conditions set forth in Attachments 1 and 2. In the event of a conflict, this Agreement shall control over the attachments, and Attachment 1 shall control over Attachment 2.
18. Agency shall assume sole liability for Agency's breach of any federal statutes, rules, program requirements and grant provisions applicable to the federal funds, and shall, upon Agency's breach of any such conditions that requires the State to return funds to FHWA, hold harmless and indemnify the State for an amount equal to the funds received under this Agreement; or if legal limitations apply to the indemnification ability of Agency, the indemnification amount shall be the maximum amount of funds available for expenditure, including any available contingency funds or other available non-appropriated funds, up to the amount received under this Agreement.
19. State and Agency hereto agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.
20. Each Party certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of that Party, under the direction or approval of its governing body, commission, board, officers, members or representatives, and to legally bind the Party.
21. This Agreement may be executed in several counterparts all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
22. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. In the event of conflict, the body of this Agreement and the attached exhibits will control over Project application and documents provided by Agency to State. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision. Notwithstanding this provision, the Parties may enter into a Right Of Way Services Agreement in furtherance of the Project.

23. State's Contract Administrator for this Agreement is Mahasti Hastings, R1 Local Agency Liaison, 123 NW Flanders Street, Portland, Oregon 97209, 503-731-8595, Mahasti.v.hastings@odot.state.or.us, or assigned designee upon individual's absence. State shall notify the other Party in writing of any contact information changes during the term of this Agreement.
23. Agency's Contract Administrator for this Agreement is Dayna Webb, P.E., City Engineer, 625 Center Street, Oregon City, Oregon, 97045, 503-974-5508, dwebb@orcify.org or assigned designee upon individual's absence. Agency shall notify the other Party in writing of any contact information changes during the term of this Agreement.

SIGNATURE PAGE TO FOLLOW

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

This Project is in the 2021-2024 Statewide Transportation Improvement Program (STIP), (Key #22142) that was adopted by the Oregon Transportation Commission on July 15, 2020 (or subsequently by amendment to the STIP).

CITY OF OREGON CITY, by and through
its elected officials

By _____

Title _____

Date _____

By _____

Title _____

Date _____

LEGAL REVIEW APPROVAL
(If required in Agency's process)

By _____

Agency Counsel

Date _____

Agency Contact:

Dayna Webb, P.E., City Engineer
625 Center Street
Oregon City, Oregon 97045
503-974-5508
dwebb@orcify.org

STATE OF OREGON, by and through
its Department of Transportation

By _____
Delivery & Operations Division Administrator

Date _____

APPROVAL RECOMMENDED

By _____
Region 1 Manager

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

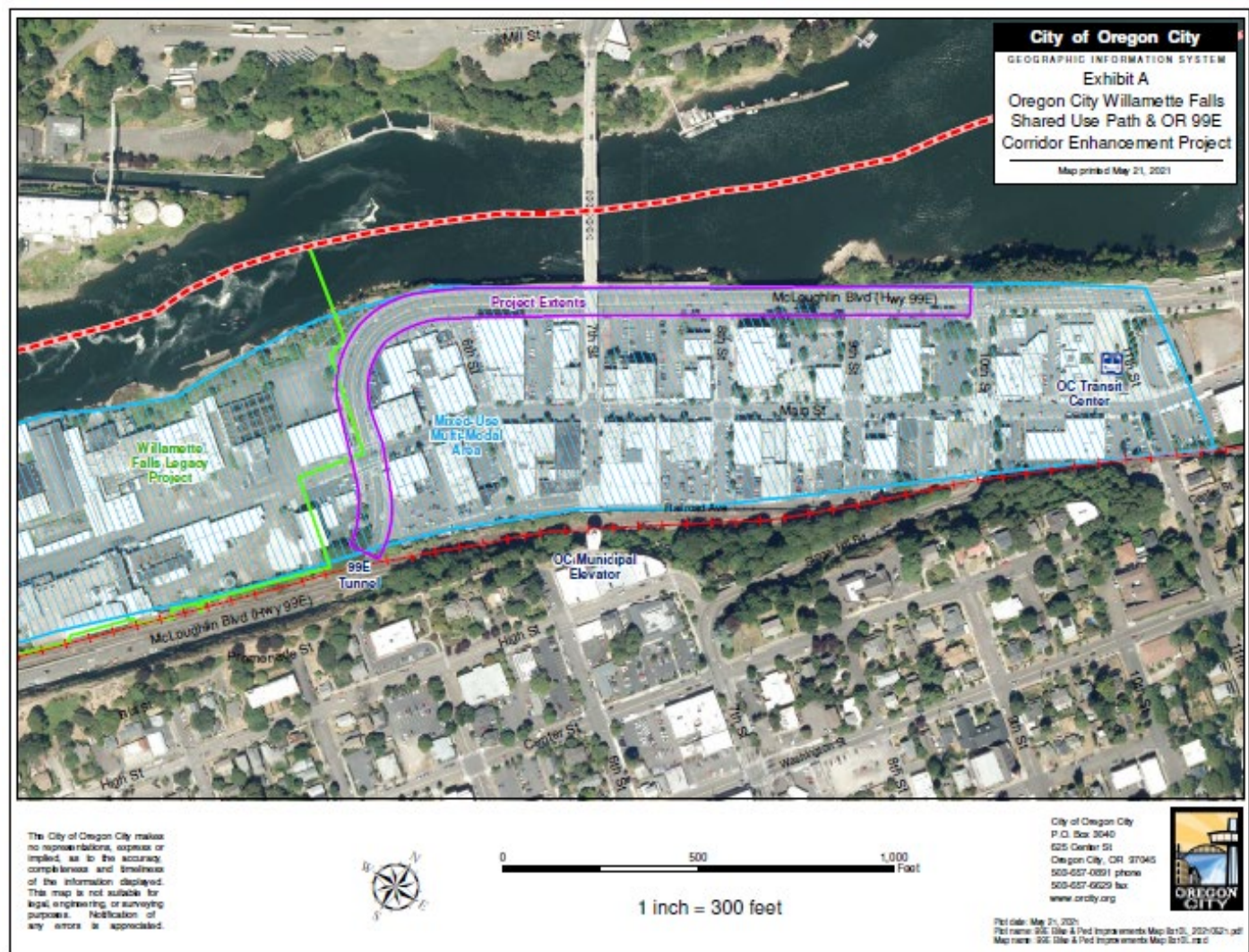
By _____
Assistant Attorney General

Date _____

State Contact:

Mahasti Hastings, Local Agency Liaison
123 NW Flanders Street
Portland, OR 97209
503-731-8595
Mahasti.v.hastings@odot.state.or.us

EXHIBIT A – Project Location Map



ATTACHMENT NO. 1 to AGREEMENT NO. 35219/73000-00003306
SPECIAL PROVISIONS

1. State or its consultant shall conduct all work components necessary to complete the Project, except for those responsibilities specifically assigned to Agency in this Agreement. State will perform project management and oversight activities throughout the duration of the Project. The cost of such activities will be billed to the Project.
2. State and Agency agree that the useful life of this Project is defined as ten (10) years.
3. If Agency fails to meet the requirements of this Agreement or the underlying federal regulations, State may withhold the Agency's proportional share of Highway Fund distribution necessary to reimburse State for costs incurred by such Agency breach. Agency will be ineligible to receive or apply for any Title 23, United States Code funds until State receives full reimbursement of the costs incurred.

ATTACHMENT NO. 2 FEDERAL STANDARD PROVISIONS

PROJECT ADMINISTRATION

1. State (ODOT) is acting to fulfill its responsibility to the Federal Highway Administration (FHWA) by the administration of this Project, and Agency (i.e. county, city, unit of local government, or other state agency) hereby agrees that State shall have full authority to carry out this administration. If requested by Agency or if deemed necessary by State in order to meet its obligations to FHWA, State will act for Agency in other matters pertaining to the Project. Prior to taking such action, State will confer with Agency concerning actions necessary to meet federal obligations. State and Agency shall each assign a person in responsible charge "liaison" to coordinate activities and assure that the interests of both Parties are considered during all phases of the Project.
2. Any project that uses federal funds in project development is subject to plans, specifications and estimates (PS&E) review and approval by FHWA or State acting on behalf of FHWA prior to advertisement for bid proposals, regardless of the source of funding for construction.
3. State will provide or secure services to perform plans, specifications and estimates (PS&E), construction contract advertisement, bid, award, contractor payments and contract administration. A State-approved consultant may be used to perform preliminary engineering, right of way and construction engineering services.
4. Agency may perform only those elements of the Project identified in the special provisions.

PROJECT FUNDING REQUEST

5. State shall submit a separate written Project funding request to FHWA requesting approval of federal-aid participation for each project phase including a) Program Development (Planning), b) Preliminary Engineering (National Environmental Policy Act - NEPA, Permitting and Project Design), c) Right of Way Acquisition, d) Utilities, and e) Construction (Construction Advertising, Bid and Award). Any work performed prior to FHWA's approval of each funding request will be considered nonparticipating and paid for at Agency expense. State, its consultant or Agency shall not proceed on any activity in which federal-aid participation is desired until such written approval for each corresponding phase is obtained by State. State shall notify Agency in writing when authorization to proceed has been received from FHWA. All work and records of such work shall be in conformance with FHWA rules and regulations.

FINANCE

6. Federal funds shall be applied toward Project costs at the current federal-aid matching ratio, unless otherwise agreed and allowable by law. Agency shall be responsible for the entire match amount for the federal funds and any portion of the Project, which is not covered by federal funding, unless otherwise agreed to and specified in the intergovernmental Agreement (Project Agreement). Agency must obtain written approval from State to use in-kind contributions rather than cash to satisfy all or part of the matching funds requirement. If federal funds are used, State will specify the Catalog of Federal Domestic Assistance (CFDA) number in the Project Agreement. State will also determine and clearly state in the Project Agreement if recipient is a subrecipient or contractor, using the criteria in 2 CFR 200.330.

7. If the estimated cost exceeds the total matched federal funds available, Agency shall deposit its share of the required matching funds, plus 100 percent of all costs in excess of the total matched federal funds. Agency shall pay one hundred (100) percent of the cost of any item in which FHWA will not participate. If Agency has not repaid any non-participating cost, future allocations of federal funds or allocations of State Highway Trust Funds to Agency may be withheld to pay the non-participating costs. If State approves processes, procedures, or contract administration that result in items being declared non-participating by FHWA, such items deemed non-participating will be negotiated between Agency and State. Agency agrees that costs incurred by State and Agency for services performed in connection with any phase of the Project shall be charged to the Project, unless otherwise mutually agreed upon by the Parties.
8. Agency's estimated share and advance deposit.
 - a) Agency shall, prior to commencement of the preliminary engineering and/or right of way acquisition phases, deposit with State its estimated share of each phase. Exception may be made in the case of projects where Agency has written approval from State to use in-kind contributions rather than cash to satisfy all or part of the matching funds requirement.
 - b) Agency's construction phase deposit shall be one hundred ten (110%) percent of Agency's share of the engineer's estimate and shall be received prior to award of the construction contract. Any additional balance of the deposit, based on the actual bid, must be received within forty-five (45) days of receipt of written notification by State of the final amount due, unless the contract is cancelled. Any balance of a cash deposit in excess of amount needed, based on the actual bid, will be refunded within forty-five (45) days of receipt by State of the Project sponsor's written request.
 - c) Pursuant to Oregon Revised Statutes (ORS) 366.425, the advance deposit may be in the form of 1) money deposited in the State Treasury (an option where a deposit is made in the Local Government Investment Pool), and an Irrevocable Limited Power of Attorney is sent to State's Active Transportation Section, Funding and Program Services Unit, or 2) an Irrevocable Letter of Credit issued by a local bank in the name of State, or 3) cash or check submitted to the Oregon Department of Transportation.
9. If Agency makes a written request for the cancellation of a federal-aid project; Agency shall bear one hundred (100) percent of all costs incurred as of the date of cancellation. If State was the sole cause of the cancellation, State shall bear one hundred (100) percent of all costs incurred. If it is determined that the cancellation was caused by third parties or circumstances beyond the control of State or Agency, Agency shall bear all costs, whether incurred by State or Agency, either directly or through contract services, and State shall bear any State administrative costs incurred. After settlement of payments, State shall deliver surveys, maps, field notes, and all other data to Agency.
10. Agency shall make additional deposits, as needed, upon request from State. Requests for additional deposits shall be accompanied by an itemized statement of expenditures and an estimated cost to complete the Project.
11. Agency shall, upon State's written request for reimbursement in accordance with Title 23, CFR part 630.112(c) 1 and 2, as directed by FHWA, reimburse State for federal-aid funds distributed to Agency if any of the following events occur:

- a) Right of way acquisition is not undertaken or actual construction is not started by the close of the twentieth federal fiscal year following the federal fiscal year in which the federal-aid funds were authorized for right of way acquisition. Agency may submit a written request to State's Liaison for a time extension beyond the twenty (20) year limit with no repayment of federal funds and State will forward the request to FHWA. FHWA may approve this request if it is considered reasonable.
 - b) Right of way acquisition or actual construction of the facility for which preliminary engineering is undertaken is not started by the close of the tenth federal fiscal year following the federal fiscal year in which the federal-aid funds were authorized. Agency may submit a written request to State's Liaison for a time extension beyond the ten (10) year limit with no repayment of federal funds and State will forward the request to FHWA. FHWA may approve this request if it is considered reasonable.
12. State shall, on behalf of Agency, maintain all Project documentation in keeping with State and FHWA standards and specifications. This shall include, but is not limited to, daily work records, quantity documentation, material invoices and quality documentation, certificates of origin, process control records, test results, and inspection records to ensure that the Project is completed in conformance with approved plans and specifications.
 13. State shall submit all claims for federal-aid participation to FHWA in the normal manner and compile accurate cost accounting records. State shall pay all reimbursable costs of the Project. Agency may request a statement of costs-to-date at any time by submitting a written request. When the final total cost of the Project has been computed, State shall furnish Agency with an itemized statement. Agency shall pay an amount which, when added to said advance deposit and federal reimbursement payment, will equal one hundred (100) percent of the final total cost of the Project. Any portion of deposits made in excess of the final total cost of the Project, minus federal reimbursement, shall be released to Agency. The actual cost of services provided by State will be charged to the Project expenditure account(s) and will be included in the final total cost of the Project.

DESIGN STANDARDS

14. Agency and State agree that minimum design standards on all local agency jurisdictional roadway or street projects on the National Highway System (NHS) and projects on the non-NHS shall be the American Association of State Highway and Transportation Officials (AASHTO) standards and be in accordance with State's Oregon Bicycle & Pedestrian Design Guide (current version). State or its consultant shall use either AASHTO's A Policy on Geometric Design of Highways and Streets (current version) or State's Resurfacing, Restoration and Rehabilitation (3R) design standards for 3R projects. State or its consultant may use AASHTO for vertical clearance requirements on Agency's jurisdictional roadways or streets.
15. Agency agrees that if the Project is on the Oregon State Highway System or a State-owned facility, that design standards shall be in compliance with standards specified in the current ODOT Highway Design Manual and related references. Construction plans for such projects shall be in conformance with standard practices of State and all specifications shall be in substantial compliance with the most current Oregon Standard Specifications for Highway Construction and current Contract Plans Development Guide.
16. State and Agency agree that for all projects on the Oregon State Highway System or a State-owned facility, any design element that does not meet ODOT Highway Design Manual design standards must be justified and documented by means of a design exception. State and Agency further agree that for all projects on the NHS, regardless of funding source; any design element that does not

meet AASHTO standards must be justified and documented by means of a design exception. State shall review any design exceptions on the Oregon State Highway System and retain authority for said approval. FHWA shall review any design exceptions for projects subject to Project of Division Interest and retains authority for their approval.

17. ODOT agrees all traffic control devices and traffic management plans shall meet the requirements of the current edition of the Manual on Uniform Traffic Control Devices and Oregon Supplement as adopted in Oregon Administrative Rule (OAR) 734-020-0005. State or its consultant shall, on behalf of Agency, obtain the approval of the State Traffic Engineer prior to the design and construction of any traffic signal, or illumination to be installed on a state highway pursuant to OAR 734-020-0430.

PRELIMINARY & CONSTRUCTION ENGINEERING

18. Preliminary engineering and construction engineering may be performed by either a) State, or b) a State-approved consultant. Engineering work will be monitored by State to ensure conformance with FHWA rules and regulations. Project plans, specifications and cost estimates shall be performed by either a) State, or b) a State-approved consultant. State shall review and approve Project plans, specifications and cost estimates. State shall, at project expense, review, process and approve, or submit for approval to the federal regulators, all environmental statements. State shall offer Agency the opportunity to review the documents prior to advertising for bids.
19. Architectural, engineering, photogrammetry, transportation planning, land surveying and related services (A&E Services) as needed for federal-aid transportation projects must follow the State's processes to ensure federal reimbursement. State will award, execute, and administer the contracts. State's personal services contracting process and resulting contract document will follow Title 23 CFR part 172, 2 CFR part 1201, ORS 279A.055, 279C.110, 279C.125, OAR 731-148-0130, OAR 731-148-0220(3), OAR 731-148-0260 and State Personal Services Contracting Procedures, as applicable and as approved by the FHWA. Such personal services contract(s) shall contain a description of the work to be performed, a project schedule, and the method of payment. No reimbursement shall be made using federal-aid funds for any costs incurred by Agency or the state approved consultant prior to receiving authorization from State to proceed.
20. The State or its consultant responsible for performing preliminary engineering for the Project shall, as part of its preliminary engineering costs, obtain all Project related permits necessary for the construction of said Project. Said permits shall include, but are not limited to, access, utility, environmental, construction, and approach permits. All pre-construction permits will be obtained prior to advertisement for construction.
21. State shall prepare construction contract and bidding documents, advertise for bid proposals, award all construction contracts, and administer the construction contracts.
22. Upon State's award of a construction contract, State shall perform quality assurance and independent assurance testing in accordance with the FHWA-approved Quality Assurance Program found in State's Manual of Field Test Procedures, process and pay all contractor progress estimates, check final quantities and costs, and oversee and provide intermittent inspection services during the construction phase of the Project.

State shall, as a Project expense, assign a liaison to provide Project monitoring as needed throughout all phases of Project activities (preliminary engineering, right-of-way acquisition, and construction). State's liaison shall process reimbursement for federal participation costs.

Disadvantaged Business Enterprises (DBE) Obligations

23. State and Agency agree to incorporate by reference the requirements of 49 CFR part 26 and State's DBE Program Plan, as required by 49 CFR part 26 and as approved by USDOT, into all contracts entered into under this Project Agreement. The following required DBE assurance shall be included in all contracts:

"The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of Title 49 CFR part 26 in the award and administration of federal-aid contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as Agency deems appropriate. Each subcontract the contractor signs with a subcontractor must include the assurance in this paragraph (see 49 CFR 26.13(b))."

24. State and Agency agree to comply with all applicable civil rights laws, rules and regulations, including Title V and Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and Titles VI and VII of the Civil Rights Act of 1964.
25. The Parties hereto agree and understand that they will comply with all applicable federal, state, and local laws, regulations, executive orders and ordinances applicable to the work including, but not limited to, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270, incorporated herein by reference and made a part hereof; Title 23 CFR parts 1.11, 140, 635, 710, and 771; Title 49 CFR parts 24 and 26; , 2 CFR 1201; Title 23, USC, Federal-Aid Highway Act; Title 41, Chapter 1, USC 51-58, Anti-Kickback Act; Title 42 USC; Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, as amended, the provisions of the FAPG and FHWA Contract Administration Core Curriculum Participants Manual & Reference Guide. State and Agency agree that FHWA-1273 Required Contract Provisions shall be included in all contracts and subcontracts verbatim and not by reference.

RIGHT OF WAY

26. Right of Way activities shall be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, ORS Chapter 35, FAPG, CFR, and the *ODOT Right of Way Manual*, Title 23 CFR part 710 and Title 49 CFR part 24.
27. State is responsible for proper acquisition of the necessary right of way and easements for construction and maintenance of projects. State or its consultant may perform acquisition of the necessary right of way and easements for construction and maintenance of the Project in accordance with the *ODOT Right of Way Manual*, and with the prior approval from State's Region Right of Way office.
28. If the Project has the potential of needing right of way, to ensure compliance in the event that right of way is unexpectedly needed, a right of way services agreement will be required. State, at Project expense, shall be responsible for requesting the obligation of project funding from FHWA. State, at Project expense, shall be entirely responsible for project acquisition and coordination of the right of way certification.
29. State or its consultant shall ensure that all project right of way monumentation will be conducted in conformance with ORS 209.155.

30. State and Agency grant each other authority to enter onto the other's right of way for the performance of non-construction activities such as surveying and inspection of the Project.

RAILROADS

31. State shall follow State established policy and procedures when impacts occur on railroad property. The policy and procedures are available through the State's Liaison, who will contact State's Railroad Liaison on behalf of Agency. Only those costs allowable under Title 23 CFR part 140 subpart I, and Title 23 part 646 subpart B shall be included in the total Project costs; all other costs associated with railroad work will be at the sole expense of Agency, or others.

UTILITIES

32. State or its consultant shall follow State established statutes, policies and procedures when impacts occur to privately or publicly-owned utilities. Policy, procedures and forms are available through the State Utility Liaison or State's Liaison. State or its consultant shall provide copies of all signed utility notifications, agreements and Utility Certification to the State Utility & Railroad Liaison. Only those utility relocations, which are eligible for reimbursement under the FAPG, Title 23 CFR part 645 subparts A and B, shall be included in the total Project costs; all other utility relocations shall be at the sole expense of Agency, or others. Agency may send a written request to State, at Project expense, to arrange for utility relocations/adjustments lying within Agency jurisdiction. This request must be submitted no later than twenty-one (21) weeks prior to bid let date. Agency shall not perform any utility work on state highway right of way without first receiving written authorization from State.

GRADE CHANGE LIABILITY

33. Agency, if a County, acknowledges the effect and scope of ORS 105.755 and agrees that all acts necessary to complete construction of the Project which may alter or change the grade of existing county roads are being accomplished at the direct request of the County.
34. Agency, if a City, hereby accepts responsibility for all claims for damages from grade changes. Approval of plans by State shall not subject State to liability under ORS 105.760 for change of grade.
35. Agency, if a City, by execution of the Project Agreement, gives its consent as required by ORS 373.030(2) to any and all changes of grade within the City limits, and gives its consent as required by ORS 373.050(1) to any and all closure of streets intersecting the highway, in connection with or arising out of the Project covered by the Project Agreement.

MAINTENANCE RESPONSIBILITIES

36. Agency shall, at its own expense, maintain operate, and provide power as needed upon Project completion at a minimum level that is consistent with normal depreciation and/or service demand and throughout the useful life of the Project. The useful life of the Project is defined in the Special Provisions. State may conduct periodic inspections during the life of the Project to verify that the Project is properly maintained and continues to serve the purpose for which federal funds were provided. Maintenance and power responsibilities shall survive any termination of the Project Agreement. In the event the Project will include or affect a state highway, this provision does not address maintenance of that state highway.

CONTRIBUTION

37. If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against State or Agency with respect to which the other Party may have liability, the notified Party must promptly notify the other Party in writing of the Third Party Claim and deliver to the other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Each Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by a Party of the notice and copies required in this paragraph and meaningful opportunity for the Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to that Party's liability with respect to the Third Party Claim.
38. With respect to a Third Party Claim for which State is jointly liable with Agency (or would be if joined in the Third Party Claim), State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by Agency in such proportion as is appropriate to reflect the relative fault of State on the one hand and of Agency on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of State on the one hand and of Agency on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if State had sole liability in the proceeding.
39. With respect to a Third Party Claim for which Agency is jointly liable with State (or would be if joined in the Third Party Claim), Agency shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by State in such proportion as is appropriate to reflect the relative fault of Agency on the one hand and of State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of Agency on the one hand and of State on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. Agency's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if it had sole liability in the proceeding.

ALTERNATIVE DISPUTE RESOLUTION

40. The Parties shall attempt in good faith to resolve any dispute arising out of this Project Agreement. In addition, the Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.

WORKERS' COMPENSATION COVERAGE

41. All employers, including Agency, that employ subject workers who work under this Project Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. Employers Liability Insurance with coverage limits of not less than five hundred thousand (\$500,000) must be

included. State and Agency shall ensure that each of its contractors complies with these requirements.

LOBBYING RESTRICTIONS

42. Agency certifies by signing the Agreement that:

- a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed one hundred thousand dollars (\$100,000), and that all such subrecipients shall certify and disclose accordingly.
- d) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31, USC Section 1352.
- e) Any person who fails to file the required certification shall be subject to a civil penalty of not less than ten thousand dollars (\$10,000) and not more than one hundred thousand dollars (\$100,000) for each such failure.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS

By signing this Agreement, Agency agrees to fulfill the responsibility imposed by 49 CFR 29.510 regarding debarment, suspension, and other responsibility matters. For the purpose of this provision only, Agency is considered a participant in a covered transaction. Furthermore, by signing this Agreement, Agency is providing the certification for its principals required in appendix A to 49 CFR part 29.



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 12/15/2021

SUBJECT:

Personal Services Agreement with DKS Associates, Inc for the Beavercreek Road All Roads Transportation Safety (ARTS) Project (CI 21-006)

STAFF RECOMMENDATION:

Award the contract and authorize the City Manager to execute the Contract Agreement with DKS Associates, Inc. in the amount of \$249,211.45 for design services, preparation of bid documents, and construction services for the Beavercreek Road All Roads Transportation Safety (ARTS) Project (CI 21-006).

EXECUTIVE SUMMARY:

Oregon City was awarded a 2018 All Roads Transportation Safety (ARTS) Grant for safety improvements on Beavercreek Road from Warner Milne Road to Maplelane Road. Approval of this contract will move the project into the design phase.

BACKGROUND:

Oregon City was awarded a 2018 All Roads Transportation Safety (ARTS) Grant for safety improvements on Beavercreek Road from Warner Milne Road to Maplelane Road. The ARTS grant is designed to address safety needs in Oregon and is data-driven to achieve the greatest benefits in crash reduction.

In July 2021, the City Commission approved a Local Agency Agreement with ODOT to allow the City to utilize the State Funded Local Project Program to deliver the project at the local level, instead of ODOT delivering it as a federally-funded project.

Corridor Improvements

All signalized intersections on Beavercreek Road between Warner Milne Road and Maplelane Road will be updated with yellow reflectorized backplates for increased visibility. Upgrades to the signal hardware will also be completed, including new signal controllers, fiber communications to and from all signals along the corridor, and signal timing updates. Updated signal timing, coupled with the fiber communications, will allow

us to optimize the signals in the corridor not only at completion of the project, but also allow us to monitor the signals remotely.

Optimized signal timing allows vehicles to more efficiently travel along a corridor. This includes reducing delays which result in shorter travel times and a reduction in fuel use and greenhouse gas emissions.

Hwy 213 and Beaver Creek Road Intersection

In 2018, the City adopted Alternative Mobility Targets at the Hwy 213 and Beaver Creek Road intersection. These targets acknowledged the high volume of traffic that uses this regionally significant intersection today and into the future. At that time, the City committed to seeking safety improvements at the busy intersection. Staff reviewed five years of detailed crash history at the intersection and found that nearly 85% of the crashes at the intersection were rear-end crashes, predominately in the southbound direction. Upon further review of the southbound rear-end crashes, it was found that the majority of these occur on dry pavement, in daylight, with clear weather conditions, and result in property damage only or minor injury. A proven method to reduce these types of crashes is installation of advance signal ahead warning signage.

The Hwy 213 and Beaver Creek Road intersection is large, and drivers often misjudge if they can clear the intersection safely. To assist with this, the intersection will be equipped with an advanced dilemma zone detection system that can modify the traffic signal timing to reduce the number of drivers that may have difficulty deciding whether to stop or proceed during a yellow phase.

These improvements create a safer intersection by reducing crashes, but also improve the travel time reliability for travelers through the intersection by decreasing delays associated with crashes.

The attached scope of work (Exhibit A) outlines the detail by which the project will move forward through the design process, solicitation of bids, and construction phase.

Following is the tentative schedule for the project:

Design & Permitting: Winter 2021 – Fall 2022

Bidding: Winter 2022

Construction: Spring 2023 – Fall 2023

DKS Associates, Inc. is a consultant on the City's Transportation Planning shortlist to assist the City with Traffic Engineering projects.

OPTIONS:

1. Authorize the City Manager to execute the Agreement.
2. Authorize the City Manager to execute the Agreement with specific modifications.
3. Deny the Agreement. If the Commission chooses to deny the Agreement, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount: \$249,211.45

FY(s): 2021/2022 & 2022/2023

Funding Source(s): Transportation SDC

CITY OF OREGON CITY PERSONAL SERVICES AGREEMENT

BEAVERCREEK ROAD ALL ROADS TRANSPORTATION SAFETY (ARTS) PROJECT (CI 21-006)

This PERSONAL SERVICES AGREEMENT ("Agreement") is entered into between the CITY OF OREGON CITY ("City") and **DKS ASSOCIATES, INC.** ("Consultant").

RECITALS

- A. City requires services that Consultant is capable of providing under the terms and conditions hereinafter described.
- B. Consultant is able and prepared to provide such services as City requires under the terms and conditions hereinafter described.

The parties agree as follows:

AGREEMENT

1. Term. The term of this Agreement shall be from the date the contract is fully executed until **December 31, 2023**, unless sooner terminated pursuant to provisions set forth below. However, such expiration shall not extinguish or prejudice City's right to enforce this Agreement with respect to (i) breach of any warranty; or (ii) any default or defect in Consultant's performance that has not been cured.

2. Compensation. City agrees to pay Consultant on a time-and-materials basis for the services required. Total compensation, including reimbursement for expenses incurred, shall not exceed **two hundred forty-nine thousand, two hundred eleven dollars and 45 cents (\$249,211.45)**

3. Scope of Services. Consultant's services under this Agreement shall consist of services as detailed in Exhibit A, attached hereto and by this reference incorporated herein.

4. Standard Conditions. This Agreement shall include all of the standard conditions as detailed in Exhibit B, attached hereto and by this reference incorporated herein.

5. Schedule. The components of the project described in the Scope of Services shall be completed according to Term, above.

6. Integration. This Agreement, along with the description of services to be performed attached as Exhibit A and the Standard Conditions to Oregon City Personal Services Agreement attached as Exhibit B, contain the entire agreement between and among the parties, integrate all the terms and conditions mentioned herein or incidental hereto, and supersede all prior written or oral discussions or agreements between the parties or their predecessors-in-interest with respect to all or any part of the subject matter hereof.

7. Notices. Any notices, bills, invoices, reports or other documents required by this Agreement shall be sent by the parties by United States mail, by hand delivery or by electronic means. All notices shall be in writing and shall be effective when delivered. If mailed, notices shall be deemed effective forty-eight (48) hours after mailing, unless sooner received.

To the City:

City of Oregon City
PO Box 3040
625 Center Street
Oregon City, OR 97045
Attention: John M. Lewis

To Consultant:

DKS ASSOCIATES INC.
720 SW Washington Street, Suite 500
Portland, OR 97205
Attention: Nate Schroeder

Consultant shall be responsible for providing the City with a current address. Either party may change the address set forth in this Agreement by providing notice to the other party in the manner set forth above.

8. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the state of Oregon without resort to any jurisdiction's conflicts of law, rules or doctrines.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers on this _____ day of _____, 20____.

CITY OF OREGON CITY

DKS ASSOCIATES, INC.

By: _____
John M. Lewis, P.E.
Title: Public Works Director

By: _____

Name: _____

DATED: _____, 20____.

Title: _____

By: _____
Anthony J. Konkol III
Title: City Manager

DATED: _____, 20____.

DATED: _____, 20____.

ORIGINAL CITY COMMISSION APPROVAL (IF APPLICABLE):

DATE: _____

APPROVED AS TO LEGAL SUFFICIENCY:

By: _____
City Attorney

\\depot\departments\PublicWorks\CIP_PS_RFQ_RFP\CIP_Open\CI 21-006 Beaver Creek Road ARTS Grant Project\COMMISSION REPORTS\Consultant December 2021\Contract - DKS CI 21-006.docx

EXHIBIT A

Contract Statement of Work Delivery Schedule and Summary of Estimate for Services

Beavercreek ARTS Improvements Project Oregon City, Oregon City Project CI 21-006

City of Oregon City Project Manager Dayna Webb, P.E. 625 Center Street Oregon City, OR 97045 503-974-5508 dwebb@orc.org	DKS Associates, Inc. Project Manager Nate Schroeder, P.E., PTOE 720 SW Washington St, Suite 500 Portland, Oregon 97205 503-972-1238 nns@dksassociates.com
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PROJECT DESCRIPTION

DKS shall provide all engineering design services necessary to prepare a complete bid package for construction and implementation of the traffic signal upgrades identified in the Beavercreek Road Corridor ARTS application. The design shall include installation of a reflectorized backplates, a new actuated flashing beacon, fiber optic interconnect and communications equipment, installation of PTZ cameras, and signal controller replacements.

CITY'S RESPONSIBILITIES

The City shall:

- Obtain permits of entry or provide access to properties belonging to others.
- Assist in utilities coordination and in facilitating the timely receipt of utility data from the utility companies and other public agencies.
- Lead public involvement and outreach efforts.
- Advertise final bid document package prepared by DKS for bidding.

EXCLUSIONS

The following items are not included as part of this scope of services:

- Hazardous Materials Corridor Study
- Traffic signal controller database conversions
- Environmental Clearance

- Archaeological/Cultural Evaluations

TASK 1.0 MANAGEMENT AND ADMINISTRATION

Task 1.1 Project Management and Administration

The duration of the Project is expected to be twelve months. The following will be included under this task:

- Prepare and administer sub-consultant contracts.
- Manage and coordinate with the project team, including providing day-to-day management and decision making for the project.
- Monitor and track contract costs, budgets, schedule, and prepare progress summary reports monthly.
- Maintain project files and reports.
- Prepare and maintain a project activity schedule in Microsoft Project. The schedule will show appropriate milestones for the Project, including intermediate and final submittal dates for deliverables and key decision points. One revision to the project schedule is included as part of this task.

Task 1.2 Project Meetings

Project meetings will be held with key team members and representatives from the City and Clackamas County. Project coordination will be led by a Project Management Team (PMT) made up of the City's Project Manager and the DKS Project Manager. The PMT will set the primary direction of the project team and review project progress monthly. The following items are included within this task:

- Schedule and attend one, two-hour Project Kickoff Meeting held virtually. Prepare and distribute project information including team member list, copies of the contract, deliverable expectations list, draft project schedule, and electronic file structure information. Preparation of meeting agenda and minutes are included under this task. The DKS Project Manager and one additional key staff will attend this meeting.
- Schedule and attend PMT meetings with the City PM, County representative, and DKS Project Manager during the twelve-month project schedule. The PMT meetings will be on the phone or videoconference and approximately 30 minutes in length. Up to ten (10) PMT meetings are included as part of this task.
- Schedule and attend up to three (3) comment review meetings following major project submittals (30%, 90%, and Final). The comment review meetings will be attended by the DKS Project Manager and one (1) key staff and/or sub-consultants. The meetings are assumed to be on the phone or videoconference, lasting two (2) hours.

Task 1.3 Quality Control Management and Review

The DKS shall manage and conduct quality control reviews of all submittals to the City and shall submit the quality control plan that will be used on this project prior to beginning quality control activities. Sub-contractors will utilize their own established QC process or use the prime DKS established practice. A primary review period is assumed as one week in advance of the completion of each submittal.

Task 1 Deliverables:

- Monthly Progress Reports and Invoices
- Meeting Agendas and Minutes
- Preliminary schedule to be presented at Kickoff Meeting (one schedule revision included)
- Quality Control Plan

TASK 2.0 GEOTECHNICAL INVESTIGATION

GRI will conduct geotechnical field investigations and laboratory tests to determine soil conditions. GRI will perform engineering analyses to design foundations for the proposed signal pole installation near the intersection of Highway 213 and Beavercreek Rd in Oregon City, Oregon. The findings will be summarized in a geotechnical memorandum. GRI will perform the following subtasks to create the memorandum:

Task 2.1 Oregon Department of Transportation (ODOT) Right of Way (ROW) Permit

GRI shall apply for and obtain the necessary ROW permit from ODOT prior to beginning work. The application will include a brief description of the exploration locations and traffic control plan (TCP).

Deliverables: GRI shall submit electronic copy of the ROW permit application, including work description and TCP, to ODOT at least sixty (60) days prior to the beginning of the field work.

Task 2.2 Field Exploration and Laboratory Testing

GRI shall perform the geotechnical explorations at two locations to evaluate subsurface conditions and develop geotechnical recommendations for the foundation designs. The anticipated work is shown in the following table.

Structure	# of Explorations	Estimated Boring Depth
Signal Pole	1	Up to 40 ft
Conduit Alignment	Up to 4	5 ft

Field Explorations: The signal pole boring will be completed in the paved right-of-way within 75 ft of the proposed signal pole location. The exploration work will be conducted in accordance with all Federal, State, and Local regulations. The shallow explorations along the conduit alignment will be completed adjacent to the roadway and outside of the existing guardrails.

Traffic control will be provided as necessary for explorations within the existing ROW. All traffic control measures will conform to the current version of the Oregon Department of Transportation (ODOT) Temporary Traffic Control Handbook.

The signal pole boring will be advanced through the existing asphalt-concrete (AC) pavement. No concrete coring will be completed. The boring will be completed within the paved shoulder depending somewhat on the location of overhead and buried utilities. The conduit alignment borings will be completed within the existing subgrade soils adjacent to the roadway utilizing

hand auger techniques. Utilities in the vicinity of the proposed borings shall be located through the One-Call Utility Locating System prior to the fieldwork. A private utility locator will also be used. It should be understood a single lane closure will likely be required to facilitate the geotechnical exploration.

GRI shall provide an engineer or geologist to supervise the field operations and log the borings. Subsurface explorations will be conducted in general accordance with the ODOT Geotechnical Design Manual (GDM). Soil samples will be obtained at 2.5-foot intervals using either a standard penetration sampler or a Shelby tube sampler.

Assumptions

- GRI shall coordinate the field exploration schedule with the City of Oregon City, ODOT, and project team and will provide at least one (1) week advance notice prior to performing the work.
- The geotechnical signal pole field explorations will be completed within the existing ROW.
- Temporary shoulder/and or lane closure will likely be required.
- The field investigations will be completed during the night time hours of 9 PM to 5 AM.
- Geotechnical drilling is expected to take one work shift.
- The signal pole boring will be advanced using a truck-mounted drill rig and mud rotary drilling techniques.
- The planned explorations do not include an environmental site assessment, and the site is assumed to be “clean” regarding hazardous or contaminated materials.
- A vacuum truck is not required to drill the boring locations.
- Drill cuttings, including soils and water, will not be contaminated, and drill cuttings will be drummed and disposed of off-site.
- The borings will be backfilled in accordance with State of Oregon Department of Water Resources requirements.
- Groundwater estimates will be based on review of nearby water wells for the area.
- Borings through pavement will be patched with cold patch asphalt emulsion.

Laboratory Testing: Water contents, sieve analyses, Atterberg limits tests, and field vane shear tests shall be conducted by GRI on selected soil samples obtained from the borings to classify the soils and estimate their engineering properties.

Deliverables: GRI shall provide the results from this Task in the Geotechnical memorandum delivered under Task 2.4.

Task 2.3 Geotechnical and Pavement Analysis

GRI shall perform analyses of the field and laboratory test data to develop geotechnical recommendations for signal pole foundation design and construction. The analysis and design for the signal pole foundation shall be conducted in accordance with current ODOT GDM, FHWA, and City guidelines for design of traffic signals, and the analysis will include:

- Minimum embedment drilled shaft depth and diameter
- Estimated drilled shaft torsional resistance.
- L-Pile analysis as needed for drilled shaft foundations
- Construction considerations

GRI shall evaluate potential impacts to known historical landslide hazards in the area from construction and installation in the new signal pole. Evaluations shall be limited to geologic reconnaissance and consideration of global stability impacts from planned improvements. It should be noted that evaluations will not review contractor related stability impacts, slope stability modeling, nor analysis or mitigation to improve slope stability beyond its current factor of safety.

Deliverables: GRI shall provide the results from this Task in the Geotechnical Report delivered under Task 2.4.

Task 2.4 Geotechnical Memorandum

GRI shall prepare a geotechnical memorandum summarizing the subsurface conditions, signal pole foundation design, geologic hazard review, and construction recommendations. The memorandum will summarize the field observations, subsurface conditions, laboratory test data, analysis results, construction issues and geotechnical recommendations for the new signal pole foundations. The memorandum will be prepared by GRI in general accordance with applicable ODOT guidelines.

Deliverables/Schedule: GRI shall provide geotechnical memorandum in draft and final format. The documents will be provided in electronic format. The draft document will be submitted to the project team for review within 8 weeks of the completion of all field work provided all design information is available. The final document can be submitted within 2 weeks of receiving all comments.

TASK 3.0 SURVEY

The purpose of this survey is to complete a base map that depicts the existing features for the Beavercreek ARTS project vicinity near the proposed flashing beacon signal pole and depicts the approximate existing roadway right of way boundaries based upon available Metro GIS tax lot linework. HHPR shall perform survey tasks as described below in support of the Beavercreek ARTS project in Oregon City.

Task 3.1 Survey Research

HHPR shall obtain available Metro GIS tax lot linework to depict the approximate right of way lines. A pre-design public utility locate request will also be made for the project area to identify existing utilities. A request will also be made for utility providers to provide as-built maps of their facilities. It is assumed that no additional survey research is required for this project. To complete the survey work, an ODOT right-of-way permit will be obtained, and it's assumed that no traffic control will be required.

Task 3.2 Horizontal/Vertical Survey Control Network

HHPR shall establish a minimum of 3 horizontal/vertical primary project control points for this project. Primary survey control will be used for the topographic survey work. Supplemental project survey control will be established as needed.

HHPR shall research and obtain data about existing horizontal and vertical control points within the project limits, including benchmarks. A horizontal survey control network will be established using a combination of GPS static survey observations, ORGN network observations, and

terrestrial survey. Horizontal control will be local datum plane coordinates based upon the Oregon Coordinate Reference System Portland Zone, established using network ORGN GPS Survey methods. Vertical control will be established utilizing static GPS and an OPUS solution provided by NGS to determine NAVD88 elevations. All survey control network points will be adjusted using StarNet least squares adjustment software as needed to meet the requirements of this project.

Task 3.3 R/W Approximation

HHPR shall use available Metro GIS for reference only to depict the existing right of way lines. No survey monuments will be recovered as a part of this survey.

Task 2.3 Assumptions

This proposal does not include the preparation or filing of a pre-construction record of survey to meet the requirements of ORS 209.155 in regard to the disturbance or destruction of survey monuments associated with the construction of this project. The intent is to identify approximate right of way lines within the project limits for design consideration.

Task 3.4 2D Survey Basemap

HHPR shall complete surveying of an approximately 250' long by 50' wide strip along the west side of Highway 213. The limits of the survey will be within the existing right-of-way of Highway 213, utilizing the west fog line as the east limits of said survey. The survey shall consist of data from field-shot survey, including trees that are 6 inches or more in diameter (DBH), known/located overhead and underground utilities, fences, poles, junction boxes, ditches and flowlines, culverts, driveways, edge of pavement, traffic and other permanent signs, striping, and structures (as accessible to surveyors).

HHPR shall request marking and record maps from all affected utility companies. This information will be combined with field ties to visible structures in order to map utilities, including utility access holes, drain inlets, utility valves, utility vaults, culverts, utility poles, and underground utility lines (alignment, size, invert elevations, and depths).

HHPR shall incorporate the field data into the project base map in AutoCAD Civil3D 2020. The base map scale will be 1 inch = 20 feet.

Task 3 Deliverables:

- 2D Topographic basemap with approximated right of way in AutoCAD Civil 3D 2020.

TASK 4.0 STRUCTURE DESIGN

Task 4.1 Traffic Structures Design

HHPR shall develop the design for one mast arm signal pole foundation. HHPR shall follow the ODOT Traffic Structures Design Manual and the current version of AASHTO Standard Specifications for Structural Support for Highway Signs, Luminaires, and Traffic Signals for this work.

HHPR shall collaborate with DKS, and geotechnical engineers on the location and type of structure needed for traffic features and data necessary for assessment and design in accordance with ODOT procedures.

Structural analysis shall include:

- Minimum embedment depth and drilled shaft diameter selected from ODOT standard foundation drawing (TM653).
- Footing reinforcement.
- Confirmation that the structural loads from the current signal design shown in the contract plans are less than the capacity of the selected ODOT standard foundation.
- Compressive and flexural strength of the drilled shaft.

Task 4 Deliverables: Deliverable to include a stamped traffic structure foundation calculations package.

TASK 5.0 TRAFFIC ENGINEERING DESIGN

DKS shall complete the roadway design tasks outlined below to support the delivery of 30%, 90% and 100% (final) construction documents.

5.1 Traffic Signal & Actuated Flashing Beacon Design

DKS shall prepare plans, specifications, and cost estimates for the traffic signal modifications along Beavercreek Road and the new actuated flashing beacon installation on OR213 approximately 1000ft north of Beavercreek Road. The following signal modifications are included as part of this project:

Intersection	Reflectorized Backplates	PTZ Camera	Controller Upgrade	Radar Detection
Warner Milne Rd	X	X	X	
Danielsons (Safeway) Access	X	X	X	
Molalla Ave			X	
South Ridge Center Access	X	X	X	
Fred Meyer Access	X	X	X	
Fir St	X	X	X	
OR213				X
Maple Lane Rd	X			

All designs will comply with the National Electrical Code, applicable State and local codes, the 2009 Edition of the FHWA Manual on Uniform Traffic Control Devices (MUTCD), and City of Oregon City, Clackamas County, and ODOT standards as applicable. Plans will be drafted according to City and Clackamas County standards. This task covers the design necessary for the 30% Design Verification Package, and 90% and Final PS&E submittals.

DKS shall also prepare a cabinet print, per ODOT standards as part of this task for the detection modifications at Beavercreek Rd/OR213. The draft cabinet print will be delivered as part of the 90% design package.

The following plans and detail sheets are assumed to be included under this scope of work:

- Traffic Signal/Flashing Beacon Legend (1 sheet, NTS)
- Traffic Signal Modification Plan (1 sheet, 1"=20')
- Flashing Beacon Plan (1 sheet, 1"=20')

- Signal Modification Table (1 sheet, NTS)
- Signal Details (1 sheet, NTS)

It is assumed that basemaps from previously completed projects will be used for this project, with new survey collected only for the flashing beacon installation.

5.2 Interconnect Design

DKS shall prepare plans, specifications, and cost estimates for the fiber optic interconnect design along the following roadways:

- Beaver Creek Rd: Danielsons (Safeway) Access to Maple Lane Rd
- Molalla Ave: Warner Milne Rd to Beaver Creek Rd
- Warner Milne Rd: Beaver Creek Rd to Molalla Ave

Design assumes that new fiber optic cable will be installed through existing conduits and junction boxes, with only minor modifications required to upgrade handholes or remove extraneous junction boxes as determined. DKS shall complete one (1) site visit to verify only critical locations of the existing system to verify, to the extent feasible, that the design approach is viable. Locations will primarily focus on traffic signal cabinets and the adjacent junction boxes/handholes.

The following plans and detail sheets are assumed to be included as part of this scope of work:

- Interconnect Legend (1 sheet, NTS)
- Interconnect Plans (15 sheets, 1"=40')
- Splice Diagrams (2 sheets, NTS)
- Communication Equipment Schedule (1 sheet, NTS)

This task covers the design necessary for the 30%, 90% and Final PS&E submittals. It is assumed that basemaps from previously completed projects will be used as-is, or with minimal effort to update/revise, for this project and plans will be drafted according to City and Clackamas County standards.

5.3 Temporary Traffic Control Design

5.3.1 Temporary Traffic Control Specs & Estimate

DKS shall prepare and submit special provisions and cost estimate for temporary traffic control to accommodate the public during construction. Specifications shall be developed to accommodate vehicle, bicycle, and pedestrian traffic during construction. Traffic control plans will not be developed as part of this task. ODOT standard drawings will be referenced where possible. If needed, TCPs, will be provided by the Contractor during construction.

Task 5.3.1 Deliverables:

- Temporary Traffic Control Estimate delivered with the 30% Design Verification Package.
- Temporary Traffic Control Specs & Estimate delivered with the 90% and Final Design Packages.

5.3.2 Temporary Traffic Control Design & Mobility (Contingency Task)

If required by ODOT, DKS shall prepare a detour plan for the temporary traffic control design required to construct the proposed flashing beacon along OR213, assuming the mast arm installation would require a full closure of southbound OR213. All plans will comply with the 2009 Edition of the FHWA Manual on Uniform Traffic Control Devices (MUTCD) and ODOT standards. This task covers the design necessary for the 90% and Final PS&E submittals, no temporary traffic control will be included with the 30% submittal. The following plan sheet is assumed to be included as part of this scope of work:

- Detour Plan (1 sheet, NTS)

DKS shall also prepare the Mobility Considerations Checklist (MCC) and Work Zone Decision Tree per ODOT standards and coordinate with Region 1 Mobility to gain approval of the MCC as required. No Traffic Management Plan or presentation to the Mobility Advisory Committee are included as part of this scope of work.

5.4 Traffic Signal Timings

DKS shall develop traffic signal databases for the new ATC controllers, review and update the local timings, develop, implement, and fine-tune new time-of-day coordinated signal timings for traffic signals along Beavercreek Road and Molalla Avenue.

5.4.1 Develop and Deploy Coordinated Signal Timings – Group 1 (Contingency Task)

DKS shall evaluate the options for coordination for the following intersections in Group 1:

- Beavercreek Road & Fir Street
- Beavercreek Road & Fred Meyer driveway
- Beavercreek Road & Southridge
- Beavercreek Road & Molalla Avenue
- Beavercreek Road & Safeway driveway
- Molalla Avenue & Safeway driveway
- Molalla Avenue & Warner Milne Road

DKS shall conduct the following activities:

- Collect a.m., midday, p.m., and weekend 2-hour peak turn movement counts at each intersection
- Calibrate the existing a.m., midday, p.m., and weekend peak period Synchro models to be consistent with observed field condition.
- Discuss signal timing operational objectives with Agency
- Update local timing parameters including Minimum Green, Walk, Flashing Don't Walk, Yellow, and Red per current Agency standard.
- Evaluate coordination options, including groupings (with and without Clairmont Way and Gaffney Lane), operating mode, and time of day schedules.
- Evaluate and select cycle lengths for each peak period

- Recommend proposed timing concepts.
- Develop coordinated timing plans (cycle length, splits, and offsets) for each peak period

DKS shall work with Agency to field review and fine-tune the timings. The field review and fine-tuning involves a combination of observing individual intersection operation, driving the corridor, and reviewing signal performance data/logs/reports. DKS shall conduct the following activities:

- Observe the signal performance in the field as the new timings are implemented during the a.m., midday, p.m. and weekend peak periods.
- Identify and implement changes to offsets and splits, if necessary, that improve performance.
- Review citizen comments for two-month period and recommend appropriate changes for Agency to implement.
- Update Synchro files with field changes

Task 5.4.1 Deliverables:

- Draft and final calibrated a.m., midday, p.m. and weekend existing conditions Synchro models within 10 weeks of NTP.
- Final calibrated a.m., midday, p.m. and weekend existing conditions Synchro models within 2 weeks of receiving Agency comments
- Draft recommendations memo within 14 weeks of NTP.
- Final recommendations memo within 2 weeks of Agency comment.
- Draft, a.m., midday, p.m., and weekend peak proposed Synchro models, within 20 weeks of NTP.
- Final a.m., midday, p.m., and weekend peak proposed Synchro models, within 2 weeks of receiving Agency comments.
- Fine-tuned a.m., midday, p.m., and weekend peak proposed Synchro models, within 4 weeks of deploying timings in field.
-

TASK 6.0 30% DESIGN VERIFICATION PACKAGE

DKS shall compile a 30% Design Verification Package (DVP), which will include all the key elements influencing scope and budget. The DVP will include sufficient details to provide a proof of concept and identify major areas of risk that will need to be addressed as part of the final design process. DVP must include, but is not limited to the following:

- Cost Estimate
- Project Risks
- Proof of Concept for the Flashing Beacon
- Summary of Field Review of Existing Conduits

DVP will be presented to City, County, and ODOT staff at a two-hour virtual meeting. No specifications or plan sheets will be developed as part of the DVP.

TASK 7.0 90% DESIGN PS&E

Under this Task, DKS shall compile the 90% Design Package, which will address review comments provided by the City, Clackamas County, and ODOT on the 30% Design Verification Package submittal. The 90% Design submittal will conform to applicable City, Clackamas County, and ODOT Standards and include the following items:

- Incorporation of applicable 30% Design Verification review comments into the 90% Plan sets. Agency comments will be tracked via a comment log spreadsheet with responses provided as part of each resubmittal.
- 90% Special Provisions in Word and cost estimate in Excel format for each bid package.
- Electronic (PDF) version of the 90% Plans in 11"x17" format, including the cover sheet and sheet index

TASK 8.0 100% (FINAL) DESIGN PS&E

DKS shall compile the 100% (Final) Design Package, which will address 90% PS&E Package review comments received from the City, Clackamas County, and ODOT. The 100% (Final) PS&E submittal will conform to applicable City, Clackamas County, and ODOT Standards and include the following:

- Incorporation of all 90% Plan review comments into the Final PS&E Plan sets. Agency comments will be tracked via a comment log spreadsheet with responses provided as part of each resubmittal.
- Final bid schedules and PS&E Estimates. Each pay item identified on the project plans will have a corresponding specification that states the method of measurement and payment for that pay item.
- Construction Schedule that will serve as a basis for allowable contract time.
- Final signed plans and special provisions for submittal to the City for printing. Final documents will be delivered in digitally signed PDF format to the City of Oregon City for advertising the bid package.

TASK 9.0 BIDDING SUPPORT

DKS shall provide bidding support during the advertising period through construction project award. Work in this task includes responding to bidder questions, one (1) addendum, and preparation of the Recommendation to Award letter.

TASK 10.0 CONSTRUCTION ENGINEERING

Under this task, the DKS team shall support the Project's needs by providing engineering services throughout construction of the project.

Task 10.1 Construction Meetings

DKS shall help prepare for and attend the pre-construction meeting with the City, County and the Construction Contractor to discuss the Project's critical elements of work and respond to initial questions from the Construction Contractor. Up to two (2) DKS staff shall attend for two (3) hours including travel time. Meeting to be held in person at the City's offices.

DKS shall attend the weekly Project coordination meetings as requested by the City to review Construction Contractor operations and/or review the Construction Contractor work products. The DKS Project Manager or one (1) DKS staff member shall attend up to ten (10) progress meetings assumed to be one (1) hour in length, held virtually.

Task 10.2 Shop Drawing and Material Submittal Review

DKS shall review construction shop drawings and working drawings submitted by the Construction Contractor for general conformity to the contract documents. DKS shall conduct submittal review in accordance with Section 00150.35 of the Standard Specifications, and the Project Special Provisions. Submittals shall consist of the following:

- Traffic Control Plans
- Erosion Control Materials
- Reinforcing Steel Shop Drawings
- Traffic Signal Pole Submittals
- Blue or Green Sheet Submittals for traffic signal or electrical equipment and materials
- Drilled Shaft Plan
- Fiber Optic Materials & Testing Submittals
- Others as required by construction contract specifications

Task 10.3 Consultation During Construction & Inspection

DKS shall provide consultation and technical services regarding design issues raised during construction of the Project. DKS shall clarify construction contract documents and provide written responses for up to fifteen (15) Requests for Information (RFI's), Design Clarifications, and/or Contractor questions. The design consultation will occur only as required and may be ongoing throughout the Project. Each response is assumed to be no more than four (4) hours of effort.

DKS shall provide additional on-site engineering staff to supplement the City's Inspector for the purpose of observing specific construction activities, such as drilled shaft excavation, foundation pouring, traffic signal pole installation/bolt tightening, mast arm installation, and/or as requested by the City. Scheduling for on-site observation/inspection will be coordinated with the City's Project Manager. Up to three (3) site visits by one (1) DKS staff are included as part of this task.

Task 10.4 Design Modifications

DKS shall prepare and submit engineering design revisions, as required, or necessitated by unanticipated conditions encountered during construction. DKS shall submit design revisions in the form of calculations, plans, specifications, and estimates as directed by the City's Project Manager.

Design modifications shall be formally initiated by written request from the City and completed within a mutually agreed to timeframe. Up to two (2) design revisions no more than twelve (12) hours of effort each are included in this task.

Task 10.5 As-constructed Drawings

DKS shall prepare unsigned as-constructed drawings based on red-lined drawings prepared by the County Inspector and Construction Contractor. As-constructed drawings will be submitted in PDF format.

Beavercreek ARTS Oregon City Project CI 21-006 Estimated Budget November 19, 2021	DKS Associates, Inc.								Geotechnical Resources, Inc. (GRI)								Harper Houf Peterson Righelis (HHPR)								Total Hours By Task	Total Labor By Task	Total Expenses By Task	Total By Task
	Grade 38 Principal	Grade 36 Project Manager	Grade 30 Signal Operations Lead	Grade 25 Quality Control Engineer	Grade 22 Project Engineer	Grade 15 Assistant Project Engineer	Grade 11 CAD Designer	Tech T Project Administrator	Expenses	Principal	Senior Engineer/Geologist	Project Engineer/Geologist	Engineering/Geological Staff	CAD Operator	Technical Editor	Project Accountant	Expenses	Project Surveyor	Surveyor Technician	Survey Crew (Crew Chief)	Survey Crew (Inst. Person)	Structural Engineer	Structural Designer	Expenses				
Task Description																												
Task 1 - Management and Administration																												
1.1 - Project Management and Administration	4	80						40																				
1.2 - Project Meetings		18			8			6																				
1.3 - Quality Control Management and Review		8		24				8																				
Task 2 - Geotechnical Investigation																												
2.1 - ODOT Right-of-Way Permit									1	10																		
2.2 - Field Exploration and Laboratory Testing									1	2		32				\$ 9,562.45												
2.3 - Geotechnical and Pavement Analysis									4	8		16																
2.4 - Geotechnical Memorandum									6	8	12		4	2	2													
Task 3 - Survey																												
3.1 - Survey Research																		3	2									
3.2 - Horizontal/Vertical Survey Control Network																		3		4	4							
3.3 - R/W Approximation																		1	1									
3.4 - 2D Survey Basemap																		2	8	12	12							
Task 4 - Structural Design																												
4.1 - Traffic Structures Design																						8	16					
Task 5 - Traffic Engineering Design																												
5.1 - Traffic Signal & Actuated Flashing Beacon Design	2	16			40	80	60	24	\$ 100.00																			
5.2 - Interconnect Design	8	48			80	180	120	24	\$ 100.00																			
5.3.1 - Temporary Traffic Control Specs & Estimate	1	2			8	16		4																				
Task 6 - 30% Design Verification Package																												
6.0 - 30% Design Verification Package		4			16	12		8																				
Task 7 - 90% Design PS&E																												
7.0 - 90% Design Package		2			12			8																				
Task 8 - 100% (Final) Design PS&E																												
8.0 - 100% (Final) Design Package		2			12			8																				
Task 9 - Bidding Support																												
9.0 - Bidding Support		2			8			8																				
Task 10 - Construction Engineering																												
10.1 - Construction Meetings		8			8																							
10.2 - Shop Drawing and Material Submittal Review		4			20	36		8																				
10.3 - Consultation During Construction & Inspection		12			20	36		4	\$ 144.00																			
10.4 - Design Modifications		2			4	12	4	2																				
10.5 - As-constructed Drawings		2		1	4	8	12	2																				

Total Hours	Total Wages	Total Expenses	Project Total
1,404	\$ 209,965.00	\$ 9,906.45	\$ 219,871.45

TOTAL: \$219,871.45

CONTINGENCY TASK																									
5.3.2 - Temp. Traffic Control Design & Mobility (Contingency Task)	1	4			8	20	16	2																	
5.4.1 - Coordinated Timings - Group 1 (Contingency Task)																									
Develop			12		24	24			\$ 1,600.00																
Implement			10		32	32			\$ 500.00																
																	</								

51	\$ 6,880.00	\$ -	\$ 6,880.00
0	\$ -	\$ -	\$ -
60	\$ 9,240.00	\$ 1,600.00	\$ 10,840.00
74	\$ 11,120.00	\$ 500.00	\$ 11,620.00
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -

Total Hours	Total Wages	Total Expenses	Contingency Total
185	\$ 27,240.00	\$ 2,100.00	\$ 29,340.00

TOTAL: \$249,211.45

**STANDARD CONDITIONS TO OREGON CITY
PERSONAL SERVICES AGREEMENT**

Item 7b.

1. Consultant Identification. Consultant shall furnish to City its taxpayer identification number, as designated by the Internal Revenue Service, or Consultant's social security number, as City deems applicable.

2. Payment.

(a) Invoices submitted in connection with this Agreement shall be properly documented and shall identify the pertinent agreement and/or purchase order numbers.

(b) City agrees to pay Consultant within thirty (30) days after receipt of Consultant's itemized statement. Amounts disputed by City may be withheld pending settlement.

(c) City certifies that sufficient funds are available and authorized for expenditure to finance the cost of the services to be provided pursuant to this Agreement.

(d) City shall not pay any amount in excess of the compensation amounts set forth in this Agreement, nor shall City pay Consultant any fees or costs that City reasonably disputes.

3. Independent Consultant Status.

(a) Consultant is an independent consultant and is free from direction and control over the means and manner of providing labor or services, subject only to the specifications of the desired results.

(b) Consultant represents that it is customarily engaged in an independently established business and is licensed under ORS chapter 671 or 701, if the services provided require such a license. Consultant maintains a business location that is separate from the offices of the City and bears the risk of loss related to the business as demonstrated by the fixed price nature of the contract, requirement to fix defective work, warranties provided and indemnification and insurance provisions of this Agreement. Consultant provides services for two or more persons within a 12-month period or routinely engages in advertising, solicitation or other marketing efforts. Consultant makes a significant investment in the business by purchasing tools or equipment, premises or licenses, certificates or specialized training and

Consultant has the authority to hire or fire persons to provide or assist in providing the services required under this Agreement.

(c) Consultant is responsible for obtaining all assumed business registrations or professional occupation licenses required by state or local law (including applicable City or Metro business licenses as per Oregon City Municipal Code Chapter 5.04). Consultant shall furnish the tools or equipment necessary for the contracted labor or services. Consultant agrees and certifies that:

(d) Consultant is not eligible for any federal social security or unemployment insurance payments. Consultant is not eligible for any PERS or workers' compensation benefits from compensation or payments made to Consultant under this Agreement.

(e) Consultant agrees and certifies that it is licensed to do business in the State of Oregon and that, if Consultant is a corporation, it is in good standing within the State of Oregon.

4. Early Termination.

(a) This Agreement may be terminated without cause prior to the expiration of the agreed-upon term by mutual written consent of the parties or by the City upon ten (10) days written notice to the Consultant, delivered by certified mail, email, or in person.

(b) Upon receipt of notice of early termination, Consultant shall immediately cease work and submit a final statement of services for all services performed and expenses incurred since the date of the last statement of services.

(c) Any early termination of this Agreement shall be without prejudice to any obligation or liabilities of either party already accrued prior to such termination.

(d) The rights and remedies of the City provided in this Agreement and relating to defaults by Consultant shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.

5. No Third-Party Beneficiaries. City and

**STANDARD CONDITIONS TO OREGON CITY
PERSONAL SERVICES AGREEMENT**

Item 7b.

Consultant are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide, any benefit or right, whether directly or indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.

6. Payment of Laborers; Payment of Taxes.

(a) Consultant shall:

(i) Make payment promptly, as due, to all persons supplying to Consultant labor and materials for the prosecution of the services to be provided pursuant to this Agreement.

(ii) Pay all contributions or amounts due to the State Accident Insurance Fund incurred in the performance of this Agreement.

(iii) Not permit any lien or claim to be filed or prosecuted against the City on account of any labor or materials furnished.

(iv) Be responsible for all federal, state, and local taxes applicable to any compensation or payments paid to the Consultant under this Agreement and, unless Consultant is subject to back-up withholding, the City will not withhold from such compensation or payments any amount(s) to cover Consultant's federal or state tax obligation.

(v) Pay all employees at least time and one-half for all overtime worked in excess of forty (40) hours in any one week, except for individuals excluded under ORS 653.100 to 653.261 or under 29 U.S.C. §§ 201 to 209 from receiving overtime.

(b) If the Consultant fails, neglects or refuses to make prompt payment of any claim for labor or services furnished by any person in connection with this Agreement as such claim becomes due, the City may pay such claim to the person furnishing the labor or services and shall charge the amount of the payment against funds due or to become due to the Consultant by reason of this Agreement.

(c) The payment of a claim in this manner shall not relieve Consultant or Consultant's surety from obligation with respect to any unpaid claims.

(d) Consultant and subconsultants, if any, are subject employers under the Oregon workers' compensation law and shall comply with ORS 656.017, which requires provision of workers' compensation coverage for all workers.

7. Subconsultants and Assignment.

Consultant shall neither subcontract any of the work, nor assign any rights acquired hereunder, without obtaining prior written approval from the City. The City, by this Agreement, incurs no liability to third persons for payment of any compensation provided herein to the Consultant.

8. Access to Records. City shall have access to all books, documents, papers and records of Consultant that are pertinent to this Agreement for the purpose of making audits, examinations, excerpts and transcripts.

9. Ownership of Work Product; License. All work products of Consultant that result from this Agreement (the "Work Products") are the exclusive property of City. In addition, if any of the Work Products contain intellectual property of Consultant that is or could be protected by federal copyright, patent, or trademark laws, or state trade secret laws, Consultant hereby grants City a perpetual, royalty-free, fully paid, nonexclusive and irrevocable license to copy, reproduce, deliver, publish, perform, dispose of, use and re-use, in whole or in part (and to authorize others to do so), all such Work Products and any other information, designs, plans, or works provided or delivered to City or produced by Consultant under this Agreement. The parties expressly agree that all works produced (including, but not limited to, any taped or recorded items) pursuant to this Agreement are works specially commissioned by City, and that any and all such works shall be works made for hire in which all rights and copyrights belong exclusively to City. Consultant shall not publish, republish, display or otherwise use any work or Work Products resulting from this Agreement without the prior written agreement of City.

10. Compliance With Applicable Law.

STANDARD CONDITIONS TO OREGON CITY PERSONAL SERVICES AGREEMENT

Item 7b.

Consultant shall comply with all federal, state, and local laws and ordinances applicable to the services to be performed pursuant to this Agreement, including, without limitation, the provisions of ORS 279B.220, 279C.515, 279B.235, 279B.230 and 279B.270. Without limiting the generality of the foregoing, Consultant expressly agrees to comply with (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans With Disabilities Act of 1990 (Pub. L No. 101-336), ORS 659.425, and all regulations and administrative rules established pursuant to those laws; and (iv) all other applicable requirements of federal and state civil rights and rehabilitation and other applicable statutes, rules and regulations.

11. Professional Standards. Consultant shall be responsible, to the level of competency presently maintained by others practicing in the same type of services in City's community, for the professional and technical soundness, accuracy and adequacy of all services and materials furnished under this authorization.

12. Modification, Supplements or Amendments. No modification, change, supplement or amendment of the provisions of this Agreement shall be valid unless it is in writing and signed by the parties hereto.

13. Indemnity and Insurance.

(a) Indemnity. Consultant acknowledges responsibility for liability arising out of Consultant's negligent performance of this Agreement and shall hold City, its officers, agents, Consultants, and employees harmless from, and indemnify them for, any and all liability, settlements, loss, costs, and expenses, including attorney fees, in connection with any action, suit, or claim caused or alleged to be caused by the negligent acts, omissions, activities or services by Consultant, or the agents, Consultants or employees of Consultant provided pursuant to this Agreement.

(b) Workers' Compensation Coverage. Consultant certifies that Consultant has qualified for workers' compensation as required by the State of Oregon. Consultant shall provide the Owner, within ten (10) days after execution of this Agreement, a certificate of insurance evidencing

coverage of all subject workers under Oregon's workers' compensation statutes. The insurance certificate and policy shall indicate that the policy shall not be terminated by the insurance carrier without thirty (30) days' advance written notice to City. All agents or Consultants of Consultant shall maintain such insurance.

(c) Comprehensive, General, and Automobile Insurance. Consultant shall maintain comprehensive general and automobile liability insurance for protection of Consultant and City and for their directors, officers, agents, and employees, insuring against liability for damages because of personal injury, bodily injury, death, and broad-form property damage, including loss of use, and occurring as a result of, or in any way related to, Consultant's operation, each in an amount not less than \$2,000,000 combined, single-limit, per-occurrence/\$4,000,000 annual aggregate. Such insurance shall name City as an additional insured, with the stipulation that this insurance, as to the interest of City, shall not be invalidated by any act or neglect or breach of this Agreement by Consultant.

(d) Errors and Omissions Insurance Consultant shall provide City with evidence of professional errors and omissions liability insurance for the protection of Consultant and its employees, insuring against bodily injury and property damage arising out of Consultant's negligent acts, omissions, activities or services in an amount not less than \$500,000 combined, single limit. Consultant shall maintain in force such coverage for not less than three (3) years following completion of the project. Such insurance shall include contractual liability.

Within ten (10) days after the execution of this Agreement, Consultant shall furnish City a certificate evidencing the dates, amounts, and types of insurance that have been procured pursuant to this Agreement. Consultant will provide for not less than thirty (30) days' written notice to City before the policies may be revised, canceled, or allowed to expire. Consultant shall not alter the terms of any policy without prior written authorization from City. The provisions of this subsection apply fully to Consultant and its Consultants and agents.

**STANDARD CONDITIONS TO OREGON CITY
PERSONAL SERVICES AGREEMENT**

Item 7b.

14. Legal Expenses. In the event legal action is brought by City or Consultant against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amounts for attorney fees, costs, and expenses as may be set by a court. "Legal action" shall include matters subject to arbitration and appeals.

15. Severability. The parties agree that, if any term or provision of this Agreement is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected.

16. Number and Gender. In this Agreement, the masculine, feminine or neuter gender, and the singular or plural number, shall be deemed to include the others or other whenever the context so requires.

17. Captions and Headings. The captions and headings of this Agreement are for convenience only and shall not be construed or referred to in resolving questions of interpretation or construction.

18. Hierarchy. The conditions contained in this document are applicable to every Personal Services Agreement entered into by the City of Oregon City in the absence of contrary provisions. To the extent there is a conflict, the terms of the Personal Services Agreement will control over the terms of the standard conditions. To the extent there is a conflict between the terms of the standard conditions and any other document, including the scope of services, the terms of the standard conditions shall control those other terms.

19. Calculation of Time. All periods of time referred to herein shall include Saturdays, Sundays and legal holidays in the State of Oregon, except that, if the last day of any period falls on any Saturday, Sunday or legal holiday, the period shall be extended to include the next day that is not a Saturday, Sunday or legal holiday.

20. Notices. Any notices, bills, invoices, reports or other documents required by this Agreement shall be sent by the parties by United

States mail, postage prepaid, or personally delivered to the addresses listed in the Agreement attached hereto. All notices shall be in writing and shall be effective when delivered. If mailed, notices shall be deemed effective forty-eight (48) hours after mailing, unless sooner received.

21. Nonwaiver. The failure of City to insist upon or enforce strict performance by Consultant of any of the terms of this Agreement or to exercise any rights hereunder shall not be construed as a waiver or relinquishment to any extent of its rights to assert or rely upon such terms or rights of any future occasion.

22. Information and Reports. Consultant shall, at such time and in such form as City may require, furnish such periodic reports concerning the status of the project, such statements, certificates, approvals, and copies of proposed and executed plans and claims, and other information relative to the project as may be requested by City. Consultant shall furnish City, upon request, with copies of all documents and other materials prepared or developed in relation with or as a part of the project. Working papers prepared in conjunction with the project are the property of City, but shall remain with Consultant. Copies as requested shall be provided free of cost to City.

23. City's Responsibilities. City shall furnish Consultant with all available necessary information, data, and materials pertinent to the execution of this Agreement. City shall cooperate with Consultant in carrying out the work herein and shall provide adequate staff for liaison with Consultant.

24. Arbitration.

All disputes arising out of or under this Agreement shall be timely submitted to nonbinding mediation prior to commencement of any other legal proceedings. The subsequent measures apply if disputes cannot be settled in this manner.

(a) Any dispute arising out of or under this Agreement shall be determined by binding arbitration.

(b) The party desiring such arbitration shall give written notice to that effect to the other party

**STANDARD CONDITIONS TO OREGON CITY
PERSONAL SERVICES AGREEMENT**

Item 7b.

and shall in such notice appoint a disinterested person of recognized competence in the field as arbitrator on its behalf. Within fifteen (15) days thereafter, the other party may, by written notice to the original party, appoint a second disinterested person of recognized competence as arbitrator on its behalf. The arbitrators thus appointed shall appoint a third disinterested person of recognized competence, and the three arbitrators shall, as promptly as possible, determine such matter, provided, however, that:

(i) If the second arbitrator is not appointed as described above, then the first arbitrator shall proceed to determine such matter; and

(ii) If the two arbitrators appointed by the parties are unable to agree, within fifteen (15) days after the second arbitrator is appointed, on the appointment of a third arbitrator, they shall give written notice of such failure to agree to the parties and, if the parties fail to agree on the selection of the third arbitrator within fifteen (15) days after the arbitrators appointed by the parties give notice, then, within ten (10) days thereafter, either of the parties, on written notice to the other party, may request such appointment by the presiding judge of the Clackamas County Circuit Court.

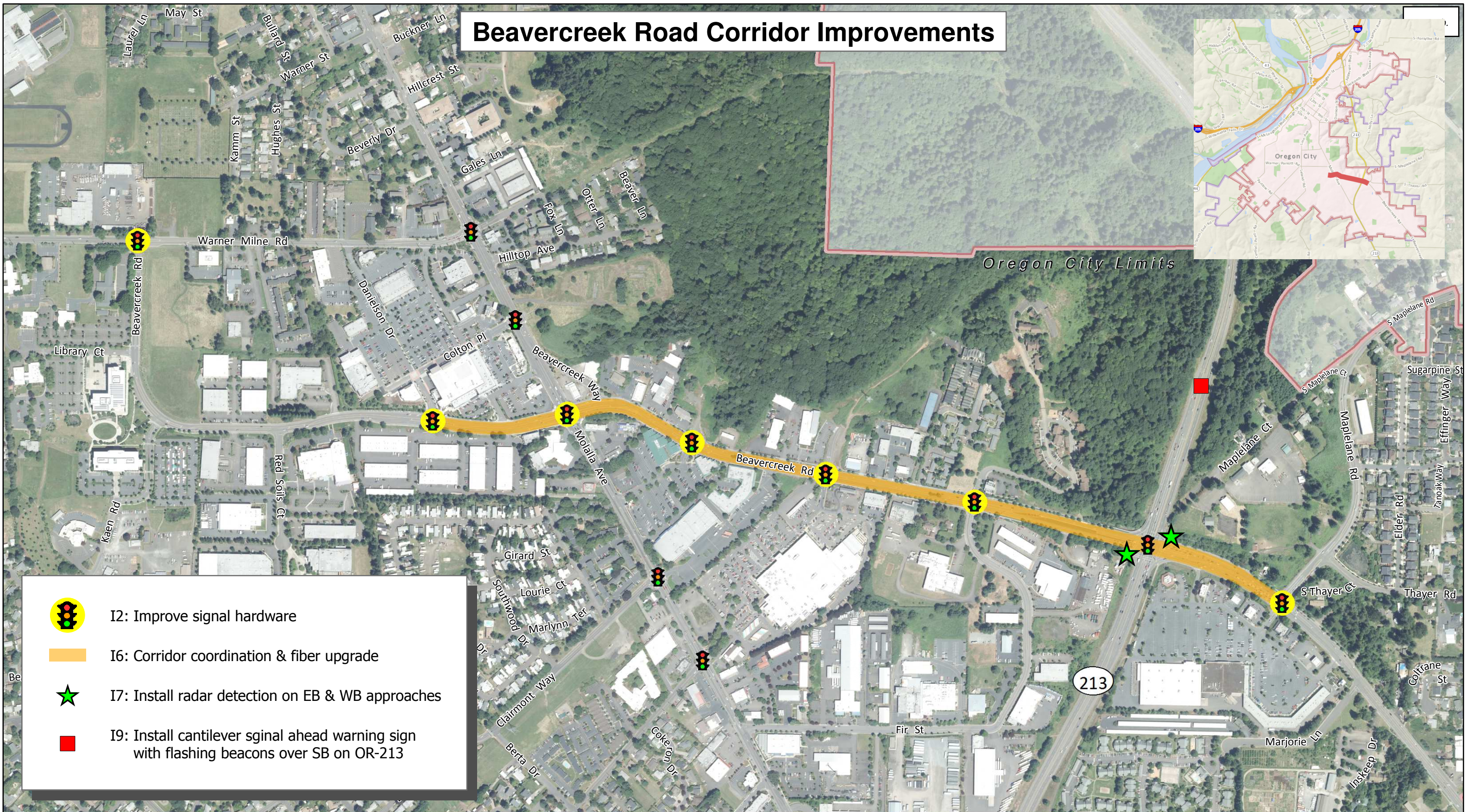
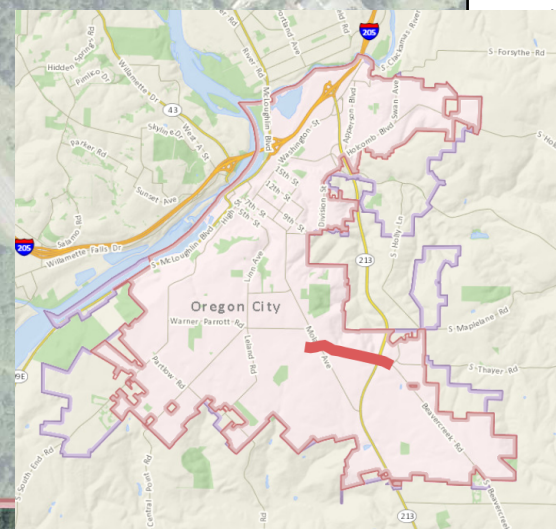
(c) Each party shall each be entitled to present evidence and argument to the arbitrators. The determination of the majority of the arbitrators or the sole arbitrator, as the case may be, shall be conclusive on the parties, and judgment on the same may be entered in any court having jurisdiction over the parties. The arbitrators or the sole arbitrator, as the case may be, shall give written notice to the parties, stating the arbitration determination, and shall furnish to each party a

signed copy of such determination. Arbitration proceedings shall be conducted pursuant to ORS 33.210 et seq. and the rules of the American Arbitration Association, except as provided otherwise.

(d) Each party shall pay the fees and expenses of the arbitrator appointed by such party and one-half of the fees and expenses of the third arbitrator, if any.

25. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the state of Oregon without resort to any jurisdiction's conflicts of law, rules or doctrines.

Beavercreek Road Corridor Improvements



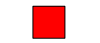
I2: Improve signal hardware



I6: Corridor coordination & fiber upgrade

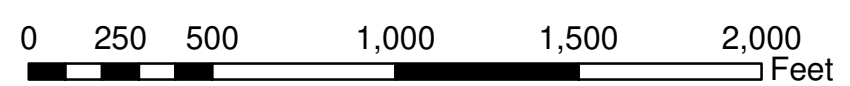
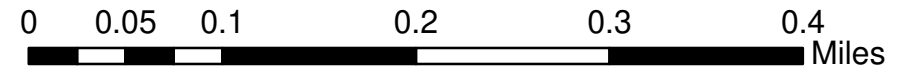


I7: Install radar detection on EB & WB approaches



I9: Install cantilever signal ahead warning sign with flashing beacons over SB on OR-213

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, or surveying purposes. Notification of any errors is appreciated.



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





CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: Finance Director Matt Zook

Agenda Date: 12/15/2021

SUBJECT:

Professional Services Agreement Between the City of Oregon City and Kimberly Graves for Prosecution Services

STAFF RECOMMENDATION:

Approval of the professional services agreement between the City of Oregon City and Kimberly Graves for prosecution services.

EXECUTIVE SUMMARY:

The City maintains a Municipal Court for the prosecution of criminal misdemeanors, traffic violations and municipal code violations. The City requires the services of a prosecutor for the purposes of screening cases, filing cases and performing all other functions normally associated with a prosecutor in a municipal court. Kimberly Graves is capable and prepared to provide such services as the City requires, under the terms and conditions set forth in the attached professional services agreement.

BACKGROUND:

The City engaged the services of John Millar for prosecution services on July 15, 2019. On September 17, 2021, Mr. Millar notified the City of his intent to terminate his services with the City effective November 30, 2021, to better align his career with the needs of his family. The City wishes to thank Mr. Millar for his services to the City.

On September 27, 2021, staff published a Request for Proposal (RFP) in the Daily Journal of Commerce and on the City's website. Four responses were received. Staff reviewed the proposals and conducted interviews with each of the respondents. The City is pleased to move forward with the attached professional services agreement to Kimberly Graves and requests approval from the City Commission.

OPTIONS:

1. Approve the Professional Services Agreement and authorize City Manager to execute agreement.
2. Deny the Professional Services Agreement with specific direction back to staff for future action.

BUDGET IMPACT:

Amount: \$192,805 over a three-year period as reflected in the agreement

FY(s): FY 2021-2024

Funding Source(s): General Fund revenues



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: Public Works Director John M. Lewis, PE

Agenda Date: 12/01/2021

SUBJECT:

Public Improvement Contract with Black Rock Underground, LLC for the Sanitary Sewer I/I Rehabilitation – Rivercrest Basin Project: Phase 1 (CI 20-010)

STAFF RECOMMENDATION:

Award the bid and authorize the City Manager to execute the Public Improvement Contract with Black Rock Underground, LLC in the amount of \$787,000.00 for construction of the Sanitary Sewer I/I Rehabilitation – Rivercrest Basin Project: Phase 1 (CI 20-010).

EXECUTIVE SUMMARY:

This item was originally presented to City Commission and approved on December 1, 2021. The Public Improvement Contract was inadvertently omitted from the packet. In an abundance of caution, and to be transparent in our contracting, the item is being brought back for re-approval. No other changes to this item have been made.

The Sanitary Sewer I/I Rehabilitation – Rivercrest Basin Project: Phase 1 aims to reduce subsurface water entering the sanitary sewer collection system by way of rehabilitation or reconstruction of aging infrastructure.

BACKGROUND:

The City's 2014 Sanitary Sewer Master Plan calls for an Infiltration and Inflow (I/I) Abatement Program to reduce surface and subsurface water that is entering the sanitary sewer collection system. I/I is a problem because clean water is being conveyed to the wastewater treatment plant and the additional flow can raise rates unnecessarily to the customers. Infiltration typically occurs through holes, cracks, joint failures, and faulty connections in pipes or manholes because of age or disturbance.

The City has identified the Rivercrest Neighborhood as one of the areas where the sanitary system shows leakage and excessive flow resulting from I/I. This calls for a sanitary sewer rehabilitation project. The rehabilitation project is considered a pilot

project to better confirm the effects of various elements of the project. Rehabilitation will include approximately 14,000 linear feet of mainline sewer pipes that range in size from 4-inch to 10-inch, 38 manholes, and approximately 214 sewer service laterals in City right-of-way. Trenchless methods such as pipe bursting and cured-in-place pipe (CIPP) lining of the mainlines and laterals were taken into consideration during the design phase.

During design, the City decided to split the project into multiple phases based on methods of rehabilitation or replacement to achieve better bid results. The different methods of rehabilitation require specialty contractors to perform the work, therefore, the approach is to package the plans such that bids came from contractors appropriate for the work. Phase 1 of the project includes CIPP lining of the sewer mainlines, service laterals, installation of cleanouts, and three new manholes. Construction will occur only in City right-of-way or within public utility easements.

On October 22 and 25, 2021, the project was advertised in the *Daily Journal of Commerce* and the City bid site in accordance with City and State contracting procedures. The bid opening was held on November 18, 2021, and three (3) bids were received. Staff and Century West Engineering reviewed the bids and determined that Black Rock Underground, LLC was the low responsive bidder. The bid from Jesse Rodriguez Construction was rejected since they used the original bid form, not the revised form provided in Addendum No. 1. The contract award value is seven hundred eighty-seven thousand dollars (\$787,000.00).

The list below includes the bidders and bid amounts received for this project:

Black Rock Underground, LLC	\$787,000.00
Jessie Rodriguez Construction	\$806,322.00
Iron Horse, LLC	\$932,800.00
Engineer's Estimate	\$790,225.00

The apparent low bidder was 0.4% lower than the engineer's estimate.

OPTIONS:

1. Authorize the City Manager to execute the Contract.
2. Authorize the City Manager to execute the Contract with specific modifications.
3. Deny the Contract. If the Commission chooses to deny the Contract, staff requests direction on how to proceed.

BUDGET IMPACT:

Amount: \$787,000.00
FY(s): 2021-2022

Funding Source(s): Sewer Fund

Term of Contract: _____

CONTRACT AGREEMENT

This Agreement, made and entered into this _____ day of _____, 20____, between the CITY OF OREGON CITY ("CITY"), acting by and through the City Commission and **BLACK ROCK UNDERGROUND, LLC** ("CONTRACTOR").

Witnesseth, that the CONTRACTOR and the CITY, for the considerations stated herein, agree as follows:

ARTICLE I - Scope of Work

The CONTRACTOR hereby agrees to furnish all of the materials, equipment and labor necessary, and to perform all of the work for the project entitled: **Sanitary Sewer I/I Rehabilitation - Rivercrest Basin Project: Phase 1 (CI 20-010)** in accordance with the contract documents which are hereby made a part of this agreement.

The contract documents consist of:

Invitation to Bid Scope of Work Instructions to Bidders Bid Proposal and Bid Schedule Compliance with ORS 279C.840 Resident Bidder Status Certification of Drug Testing Program Non-Collusion Statement Asbestos Certification Registrations Certification of Non-Discrimination Certification of Compliance with Tax Law Bidder Responsibility Form Bid Bond First Tier Subcontractor Disclosure Form Customer Service Acknowledgment Form Contract Agreement Oregon City Public Improvement Standard Conditions Statutory Conditions to Contract Agreement Performance Bond	Payment Bond State of Oregon Statutory Public Works Bond General Conditions Prevailing Wage Rates for Public Works Contracts in Oregon, dated July 1, 2021 Amendments to the Prevailing Wage Rates for Public Works Contracts in Oregon dated April 1, 2021 Prevailing Wage Apprenticeship Rates dated April 1, 2021 Definitions of Covered Occupations for Public Works Contracts in Oregon dated July 1, 2018 Special Provisions Contract Drawings City of Oregon City Standard Details Technical Specifications 2018 Oregon Standard Specifications for Construction (ODOT and APWA) as referenced by these documents Addendum 1 – dated 11/15/21 All items included within these Contract Documents.
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The order of items cited above does not constitute an order of precedence different than that established in the special or standard specifications. Equivalent titles, which may be substituted for the above listed items, are included as if specifically named.

ARTICLE II - Time of Completion

The project shall be substantially complete by **June 30, 2022** and ready for final acceptance by **July 8, 2022** as identified in 00180.50(b) of the Special Provisions.

ARTICLE III – Contract Amount

The Contract Amount for the work covered by this Agreement is estimated to be **seven hundred eighty-seven thousand dollars and no cents (\$787,000.00)**.

ARTICLE IV - Warranty and Quality of Work

In addition to all other warranties, express or implied, that are part of this Agreement, the Contractor expressly warrants to the City for a period of one year from acceptance of the work by the City that all materials and equipment furnished under this contract will be new, unless otherwise specified, and that the work will be of good quality, free from faults and defects and in conformance with the City's specifications. Work that does not conform to these standards shall be considered defective.

Contractor shall, at its own expense, make good and repair any and all defects arising from faulty workmanship or materials, if the defective work is discovered within the one-year warranty period and notice thereof is given to the Contractor within 60 days after the expiration of the warranty period. If required by the City, the Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment used to repair the defect.

In witness whereof, the parties hereto have executed this agreement, the day and year first above written.

CITY OF OREGON CITY**BLACK ROCK UNDERGROUND, LLC**

 Printed Name

 by:

 Anthony J. Konkol III
 City Manager

 by:

 Authorized signature

 by:

 John M. Lewis, P.E.
 Public Works Director

 Title

 Federal Taxpayer ID Number

Approved as to Legal Sufficiency:

 Title

 by:

 City Attorney

 Date

 Federal Taxpayer ID Number

Address:

City Commission Award Date:

November 19, 2021

Bob Balgos
City of Oregon City
625 Center Street
Oregon City, Oregon 97045

Re: Sanitary Sewer I/I Rehabilitation - Rivercrest Basin Project: Phase 1
OC Project No. CI 20-010
Recommendation to Award

Dear Bob:

On November 18, 2021, three (3) bids were received to construct the above referenced project. The bids ranged from \$787,000.00 to \$932,800.00, with the Engineer's estimate of probable construction cost identified as \$790,225.00.

The lowest responsive and responsible bid was submitted by Black Rock Underground of Beaverton, Oregon in the amount of \$787,000.00.

After bid opening, it was discovered that Jesse Rodriguez Construction did acknowledge Addendum 1, issued on November 11, 2021, however, did not fill out the revised bid form that accompanied Addendum 1. Per Section 00120.30 of the Special Provisions, "The Agency will not be responsible for failure of Bidders to receive Addenda..... Bids may be rejected if opened and found by the Agency not to be based on Addenda issued before Bids were opened." For this reason, the bid received from Jessie Rodriguez Construction has been determined to be non-responsive and therefore rejected.

Based upon review of the bid submissions received and verification of the required bid documents, Century West Engineering recommends that the City award the contract to:

Black Rock Underground

Sincerely,



Rawley Voorhies, PE
Project Manager

City of Oregon City
Sanitary Sewer I/I Rehabilitation - Rivercrest Basin Project: Phase 1
Bid Tabulation
Date: 11/18/21 2:00 PM

Apparent Low

Other Bidders

Non-Responsive

Item	Description	Units	Quantity
1	Extra Work As Authorized	LS	1
2	Mobilization	LS	1
3	Temporary Work Zone Traffic Control and Pedestrian Control Complete	LS	1
4	Erosion Control	LS	1
5	Rock Excavation	CY	20
6	Boulder Excavation	CY	20
7	CIPP Liner, 6-Inch	LF	440
8	CIPP Liner, 8-Inch	LF	5390
9	CIPP Liner, 10-Inch	LF	670
10	Reinstate Sewer Lateral	EA	100
11	Lateral Connection Sealing	EA	32
12	Sewer Lateral Replacement, 0 to 3 Feet	EA	32
13	4-Inch Sewer Lateral, Each Additional Foot	LF	460
14	6-Inch Sewer Lateral, Each Additional Foot	LF	180
15	Mainline Video Inspection	LF	13000
16	Video Inspection of Sewers, Laterals	EA	100
17	CLSM Backfill	CY	20
18	Cleanouts, Main Line	EA	6
18a	Cleanouts, Service	EA	28
19	Concrete Sanitary Sewer Manholes	EA	3
20	Trench Resurfacing, Extra	SF	4250
TOTAL (ITEMS 1 TO 20)			

Engineers Estimate	
Unit Price	Extended
\$ 25,000.00	\$ 25,000.00
\$ 80,000.00	\$ 80,000.00
\$ 45,000.00	\$ 45,000.00
\$ 6,000.00	\$ 6,000.00
\$ 250.00	\$ 5,000.00
\$ 250.00	\$ 5,000.00
\$ 40.00	\$ 17,600.00
\$ 40.00	\$ 215,600.00
\$ 60.00	\$ 40,200.00
\$ 350.00	\$ 35,000.00
\$ 750.00	\$ 24,000.00
\$ 2,750.00	\$ 88,000.00
\$ 55.00	\$ 25,300.00
\$ 65.00	\$ 11,700.00
\$ 5.00	\$ 65,000.00
\$ 150.00	\$ 15,000.00
\$ 85.00	\$ 1,700.00
\$ 1,750.00	\$ 10,500.00
\$ 1,750.00	\$ 49,000.00
\$ 5,000.00	\$ 15,000.00
\$ 2.50	\$ 10,625.00
	\$ 790,225.00

Black Rock Underground LLC	
Unit Price	Extended
\$ 25,000.00	\$ 25,000.00
\$ 130,940.00	\$ 130,940.00
\$ 25,000.00	\$ 25,000.00
\$ 20,000.00	\$ 20,000.00
\$ 70.00	\$ 1,400.00
\$ 50.00	\$ 1,000.00
\$ 65.00	\$ 28,600.00
\$ 42.00	\$ 226,380.00
\$ 55.00	\$ 36,850.00
\$ 160.00	\$ 16,000.00
\$ 640.00	\$ 20,480.00
\$ 2,800.00	\$ 89,600.00
\$ 115.00	\$ 52,900.00
\$ 35.00	\$ 6,300.00
\$ 2.00	\$ 26,000.00
\$ 200.00	\$ 20,000.00
\$ 250.00	\$ 5,000.00
\$ 2,000.00	\$ 12,000.00
\$ 600.00	\$ 16,800.00
\$ 7,500.00	\$ 22,500.00
\$ 1.00	\$ 4,250.00
-0.4%	\$ 787,000.00

Iron Horse LLC	
Unit Price	Extended
\$ 25,000.00	\$ 25,000.00
\$ 20,000.00	\$ 20,000.00
\$ 80,000.00	\$ 80,000.00
\$ 2,800.00	\$ 2,800.00
\$ 150.00	\$ 3,000.00
\$ 150.00	\$ 3,000.00
\$ 80.00	\$ 35,200.00
\$ 52.00	\$ 280,280.00
\$ 57.00	\$ 38,190.00
\$ 150.00	\$ 15,000.00
\$ 1,200.00	\$ 38,400.00
\$ 4,200.00	\$ 134,400.00
\$ 82.00	\$ 37,720.00
\$ 82.00	\$ 14,760.00
\$ 3.00	\$ 39,000.00
\$ 240.00	\$ 24,000.00
\$ 250.00	\$ 5,000.00
\$ 3,000.00	\$ 18,000.00
\$ 2,100.00	\$ 58,800.00
\$ 13,000.00	\$ 39,000.00
\$ 5.00	\$ 21,250.00
18.0%	\$ 932,800.00

Jesse Rodriguez Construction	
Unit Price	Extended
\$ 25,000.00	\$ 25,000.00
\$ 66,000.00	\$ 66,000.00
\$ 20,000.00	\$ 20,000.00
\$ 10,000.00	\$ 10,000.00
\$ 150.00	\$ 3,000.00
\$ 150.00	\$ 3,000.00
\$ 75.00	\$ 33,000.00
\$ 43.00	\$ 231,770.00
\$ 51.00	\$ 34,170.00
\$ 250.00	\$ 25,000.00
\$ 626.00	\$ 20,032.00
\$ 3,000.00	\$ 96,000.00
\$ 75.00	\$ 34,500.00
\$ 80.00	\$ 14,400.00
\$ 3.00	\$ 39,000.00
\$ 275.00	\$ 27,500.00
\$ 200.00	\$ 4,000.00
\$ 1,800.00	\$ 10,800.00
\$ 1,800.00	\$ 50,400.00
\$ 12,500.00	\$ 37,500.00
\$ 5.00	\$ 21,250.00
2.0%	\$ 806,322.00

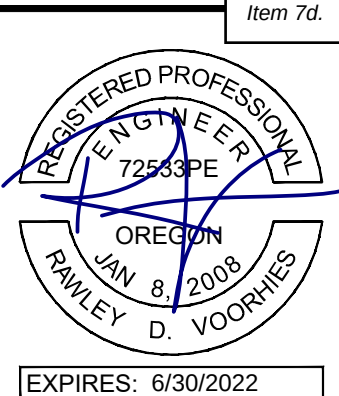
Note: 1. Jessie Rodriguez did not utilize the Addendum 1 bid form, issued November 11, 2021. As a result, no price was provided for Item 18a. The price provided for Item 18 has been extended to 18a to reflect the Total Base Bid of \$806,322.00 that was submitted. Per Section 00120.30 of the Special Provisions, the bid has been rejected.

SANITARY SEWER I/I REHABILITATION - RIVERCREST BASIN PROJECT: PHASE 1

CITY OF OREGON CITY, OR

OC PROJECT #: CI 20-010

POTENTIAL
UNDERGROUND
FACILITY OWNERS
"ONE CALL"
UTILITY NOTIFICATION
CENTER
1-800-332-2344 OR 811



CENTURY
WEST
ENGINEERING

PORTLAND OFFICE
5500 MEADOWS ROAD, SUITE 250
LAKE OSWEGO, OR 97035
503.652.2710 FAX

DESIGNED BY: REV
DRAWN BY: JLF

CITY OF OREGON CITY, OREGON
SANITARY SEWER I/I REHABILITATION
OC PROJECT #: CI 20-010
**RIVERCREST BASIN - PHASE 1
COVER SHEET**

REVISES		DESCRIPTION	
REV #	DATE		



CITY OF OREGON CITY
PUBLIC WORKS DEPARTMENT
APPROVAL FOR CONSTRUCTION
☐ APPROVED AS SUBMITTED

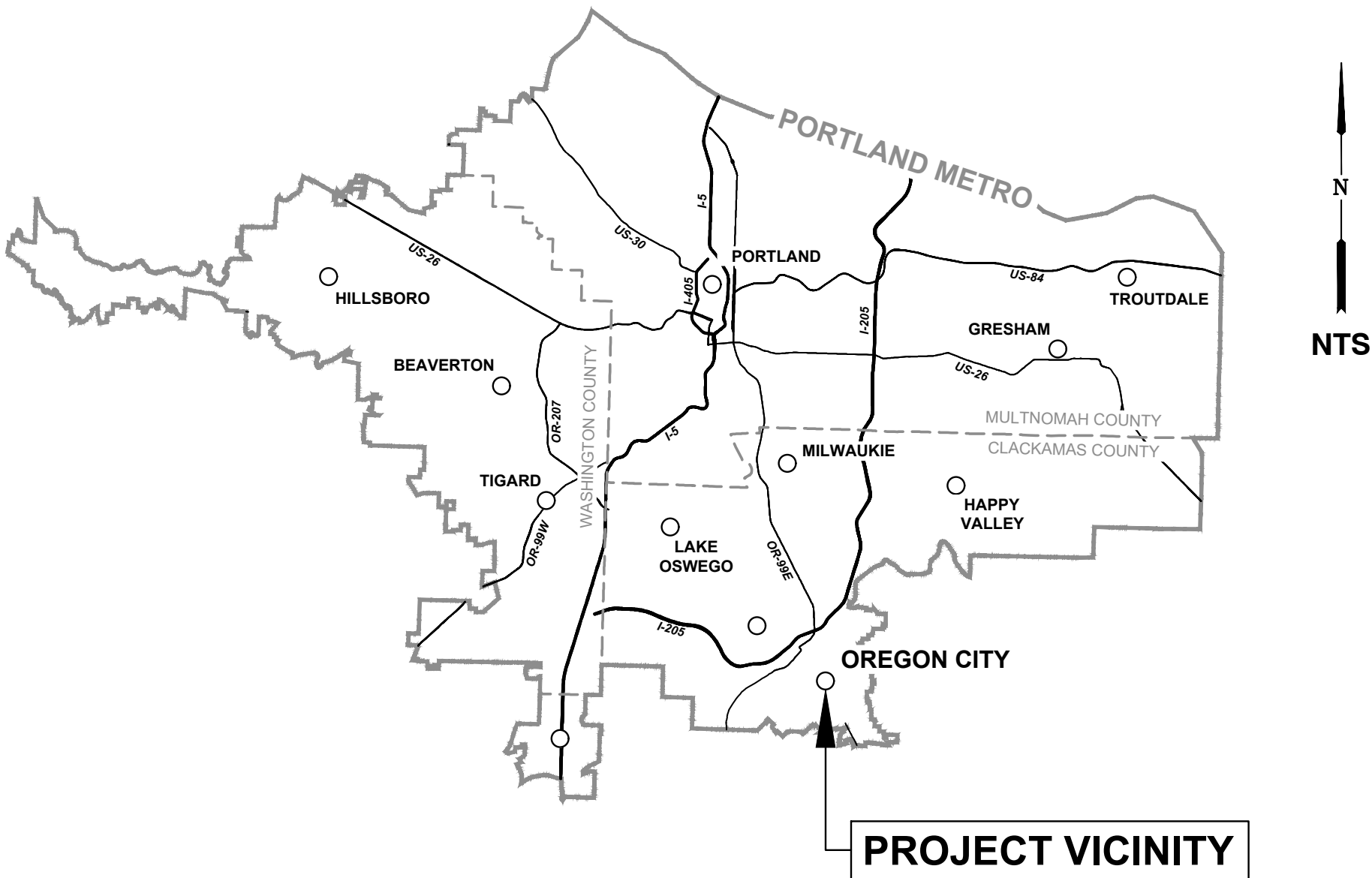
SIGNATURE
NAME: _____
DATE: _____

APPROVAL EXPIRES 6
MONTHS AFTER DATE ABOVE

PRINTED: 10/22/2021
OC RECORD DRAWING #:
XXXXXX.XX

DRAWING NUMBER:
G1.1

VICINITY MAP



PROJECT CONTACTS

CITY OF OREGON CITY BOB BALGOS, P.E. 625 CENTER STREET OREGON CITY, OR 97045 T: 503-974-5518 E: bbalgos@orcity.org	CENTURY WEST ENGINEERING RAWLEY VOORHIES, P.E. 5500 MEADOWS ROAD, #250 LAKE OSWEGO, OR 97035 T: 503-419-2130 E: vvoorhies@centurywest.com
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UTILITY CONTACTS

BEAVER CREEK TELEPHONE/DIRECTLINK ERIC KHELER T: 503.266.8223 E: eric.kehler@csoregon.com	CLACKAMAS COUNTY TRAFFIC MAINTANENCE JONATHAN MCDOWELL T: 503.970.8989 E: jonathanmcd@co.clackamas.or.us	OREGON CITY STREET SYSTEM JAYSON THORNBERG T: 503.657.8241 E: jthornberg@orcity.org	PORTLAND GENERAL ELECTRIC ROSS CHICHOSZ T: 503.669.3331 E: ross.cichosz@pgn.com
CENTURY LINK (LUMEN) DAVID DODD T: 503.242.8849 E: david.dodd@centurylink.com	LIGHTSPEED NETWORKS WINFRIED VOGT T: 503.414.0475 E: wvogt@lsnetworks.net	OREGON CITY WATER SYSTEM KEVIN HANKS T: 503.657.8241 E: khanks@orcity.org	ZAYO GROUP BRIAN DAVIDSON T: 360.558.4215 E: brian.davidson@zayo.com
COMCAST BRENT CHRISTIANSEN T: 503.347.0854 E: brent.christiansen@comcast.com	OREGON CITY SANITARY AND STORM ERIC HAND T: 503.657.8241 E: ehand@oregoncity.com	NW NATURAL RICH GIRARD T: 503.226.4211 EXT. 2967 E: r2g@nwnatural.com	

ATTENTION EXCAVATORS:
OREGON LAW REQUIRES THE CONTRACTOR TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THOUGH OAR 952-001-0090. THE CONTRACTOR MAY OBTAIN COPIES OF THESE RULES FROM THE CENTER BY CALLING (503) 232-1987 OR BY ACCESSING THE INTERNET AT www.state.or.us/government.htm. THE CONTRACTOR MUST NOTIFY THE CENTER AT LEAST 2 BUSINESS DAYS, BUT NOT MORE THAN 10 BUSINESS DAYS, BEFORE COMMENCING AN EXCAVATION. CALL (503) 246-6699.

LOCATION MAP





CITY OF OREGON CITY

CITY COMMISSION REGULAR MEETING - REVISED

DRAFT MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Wednesday, October 20, 2021 at 7:00 PM

REGULAR MEETING OF THE CITY COMMISSION

1. CONVENE MEETING AND ROLL CALL

Mayor Lyles Smith called the meeting to order at 7:01 PM.

PRESENT: 4 - Mayor Rachel Lyles Smith, Commissioner Adam Marl, Commissioner Denyse McGriff, and Commissioner Rocky Smith

ABSENT: 1 - Commissioner Frank O'Donnell

STAFFERS: 11 - City Manager Tony Konkol, Asst. City Recorder Jakob Wiley, Community Development Director Laura Terway, Parks & Rec. Director Kendall Reid, City Attorney Bill Kabeiseman, Human Resources Director Patrick Foiles, Asst. to the City Manager Lisa Oreskovich, Public Works Director John Lewis, Finance Director Matt Zook, Library Director Greg Williams, and Economic Development Manager James Graham

2. FLAG SALUTE

3. CEREMONIES AND PROCLAMATIONS

3a. VFW Post #1324 Check Presentation for the Veterans Memorial Plaza Renovation

Commander Arnold explained the history of VFW Post #1324 and Mt. View Cemetery. He discussed the fundraising that was done and presented a check to the City for \$12,000 for the renovations needed at the Veterans Memorial Plaza.

Mayor Lyles Smith listed what was included in the renovation project.

3b. Proclamation Declaring October 2021 as National Long-Term Care Residents' Rights Month

Mayor Lyles Smith read the proclamation declaring October 2021 as National Long-Term Care Residents' Rights Month.

3c. Proclamation Declaring November 1, 2021 as Extra Mile Day

Mayor Lyles Smith read the letter recognizing Shawn Dachtler from the Parks and Recreation Advisory Committee, Brandi Johnson with Love One, and Jerry Herrmann with Rivers of Life for their service to the community.

3d. Proclamation for the 101st Oregon City / West Linn Rivalry Day

Mayor Lyles Smith read the proclamation declaring October 29, 2021 as the 101st Oregon City/West Linn Rivalry Day.

There was discussion regarding the Homecoming Parade.

4. CITIZEN COMMENTS

There were no citizen comments.

5. PRESENTATIONS

5a. FEMA Community Rating System 2021 Annual Report

John Lewis, Public Works Director, presented the FEMA Community Rating System 2021 Annual Report. He gave a background and purpose of the rating system program, annual report topics summary, and changes since last year's report.

There was discussion regarding the goal for the rate in the future and addressing other hazards than just floods.

6. ADOPTION OF THE AGENDA

Item 7d was pulled from the consent agenda and would come back to the Commission on November 3. The agenda was adopted as amended.

7. CONSENT AGENDA

Motion made by Commissioner McGriff, seconded by Commissioner Marl, to adopt the consent agenda except for Item 7d. The motion carried by the following vote:

Yea: Mayor Lyles Smith, Commissioner Marl, Commissioner McGriff, and Commissioner Smith

- 7a. Oregon City Parks and Recreation Financial Support & Sustainability Strategy Policy
- 7b. Personal Services Agreement with RH2 Engineers for the Clairmont Area Waterline Replacements Project (CI 21-012)
- 7c. Personal Services Agreement with EC Electric for Generator Power Modifications at the Robert Libke Public Safety Building
- 7d. Temporarily Exempting Construction Activities from the Prohibition Against Unlawful Noises for the OC Brewing Patio Development Project and Declaring an Emergency
- 7e. Memorandum of Understanding Between the City of Oregon City and the Willamette Falls and Landings Heritage Area Coalition
- 7f. Intergovernmental Agreement with the Oregon Department of Transportation for the I-205 Improvement Project
- 7g. Public Works Wastewater/Storm Division Replacement Vehicle

7h. Minutes of the September 7, 2021 Joint Work Session with the Planning Commission

7i. Minutes of the September 7, 2021 Work Session

8. PUBLIC HEARINGS

None

9. GENERAL BUSINESS

9a. Accepting the Right-of-Way for a Portion of Maplelane Court and Maplelane Road

Mr. Lewis said this was a jurisdictional transfer from the County to the City for portions of Maplelane Court and Maplelane Road. This was in anticipation of a development and the developer would assist with the improvements to the roads as well as funding from the County. The City would finish the improvements on the portion that the developer was not doing.

There was discussion regarding the amount from the County and proposed improvements.

Motion made by Commissioner McGriff, seconded by Commissioner Smith, to adopt Resolution 21-49, accepting the right-of-way for a portion of Maplelane Court and Maplelane Road. The motion carried by the following vote:

Yea: Mayor Lyles Smith, Commissioner Marl, Commissioner McGriff, and Commissioner Smith

9b. Launching of Destination Ready

James Graham, Economic Development Manager, gave a presentation on the Destination Ready program. This was a strategy to build and expand Oregon City's tourism industry. He explained the goals of the program, asset assessment, objectives, target audience, market territory, and promotion venues.

Victoria Meinig, Chamber of Commerce, and Liz Hannum, Downtown Oregon City Association, discussed the Destination Ready strategies.

Mr. Graham spoke about the programs that would be used to implement Destination Ready and timelines for the project initiatives and marketing activities.

There was discussion regarding the costs of the Tourism Plan, Concierge Institute implementation and outcomes, Concierge Institute grants, need for a two year timeline and budget, funding going towards marketing, need for more details on what the money was being spent on, marketing territory including Bend, key items missing such as painting the wagons, boats and tourism and dock issues, high tech public restroom in downtown, working with parks for events, developing goals for the program, and the Commission getting regular updates.

10. COMMUNICATIONS

11. City Manager

11a. Oregon City Emergency Operations Manual

Jim Band, Police Chief, discussed the update to the Oregon City Emergency Operations Manual which would be done after the County's update to their manual.

The Commission expressed a desire to see the After Action Lessons Learned Report from the wildfire

event of 2020.

12. Commissioners

Commissioner McGriff said the Farmers Market Metro Enhancement Grant funding had better than expected results. The amount of people they could serve had tripled.

13. Mayor

There were no Mayor communications.

14. ADJOURNMENT

Mayor Lyles Smith adjourned the meeting at 8:48 PM.

Respectfully submitted,

Jakob Wiley, Assistant City Recorder



CITY OF OREGON CITY

CITY COMMISSION WORK SESSION

DRAFT MINUTES

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Tuesday, November 09, 2021 at 6:00 PM

CONVENE WORK SESSION AND ROLL CALL

Mayor Lyles Smith convened the meeting at 6:03 PM.

PRESENT: 5 - Mayor Rachel Lyles Smith, Commissioner Rocky Smith, Commissioner Denise McGriff, Commissioner Frank O'Donnell, and Commissioner Adam Marl

STAFFERS: 11- City Manager Tony Konkol, Asst. City Recorder Jakob Wiley, Community Development Director Laura Terway, Econ. Dev. Manager James Graham, Library Director Greg Williams, Finance Director Matt Zook, Parks & Rec. Director Kendall Reid, Public Works Director John Lewis, City Attorney Bill Kabeiseman, Human Resources Director Patrick Foiles, and Asst. to the City Manager Lisa Oreskovich

FUTURE AGENDA ITEMS

1. List of Future Work Session Agenda Items

Tony Konkol, City Manager, mentioned some changes for the December 7th Work Session related to receiving American Rescue Plan Act of 2021 (ARPA) funds. The City Commission and Mr. Konkol also discussed the planned meeting topics in early-2022.

DISCUSSION ITEMS

2. Presentation Regarding FCS Rate/SDC Benchmarking Study

John Lewis, Public Works Director, introduced John Ghilarducci, principal with the FCS Group and provided the presentation, which outlined the key characteristics of rates and system development charges (SDCs). the benchmarking study plan which consists of twenty Oregon cities and evaluates on three sets of customer characteristics.

Commissioner O'Donnell commented that he is interested in looking at cities that are comparable in city size. Commissioner Marl would like to see Gladstone and Happy Valley added to the list of cities. Commissioner McGriff would like to see Portland, Gresham and Beaverton as outliers. There was discussion on other comparable cities to consider.

Commissioner O'Donnell asked clarification on the customer characteristics and there was discussion on what businesses should be considered in the study, in light of economic development efforts. The City Commissioners agreed to add retail and hotels as a category. Commissioner Smith commented that he agreed with the two additions.

Mr. Ghilarducci reviewed additional development considerations regarding developer priorities, which include workforce availability, land prices and zoning flexibility. When priorities are met, developers are generally willing to pay reasonable connection charges and will choose SDCs rather than building off-site

infrastructure.

3. Discussion of the Mayoral Appointment Process to City Positions

Mr. Konkol provided the background. For at least the last two decades the practice in the City has been that the Mayor appoints the members for almost all City committees and positions, largely based on Section 20 of the Oregon City Charter. The Commission has now asked what limits there are on the Mayoral appointment power and whether the Commission as a whole may place limits or be required to be consulted as part of the appointment process.

Mayor Lyles Smith commented that she felt the City Commission was ready to discuss the topic and that she had not made appointments to many of the committees mentioned in the memorandum provided by William Kabeiseman, City Attorney, and felt that many of the committees were no longer active.

Commissioner Marl wanted to concentrate on the Planning Commission and the Historic Review Board (HRB) for the discussion and that the discussion should have taken place awhile ago. Commissioner Marl did receive feedback from the West Linn and Gladstone City Council members regarding the topic.

Commissioner Smith had mixed feelings on the topic and felt that it is the prerogative for any mayor to make appointments on their own or seek input from City Commissioners.

Commissioner Marl felt requiring other Commissioners' input on appointment would be a good checks-and-balance process to ensure consistency.

Commissioner O'Donnell felt the entire Commission should share the decision-making on appointments for the Planning Commission and the HRB.

Commissioner McGriff also agreed with Commissioners O'Donnell and Marl but also felt there should be a more thorough approach of examining applicants and their ability to get along with other committee members.

Mr. Konkol asked the Commission if they were interested in seeing the appointment process changed without requiring a public vote, through changing the municipal code by way of an ordinance and not changing the City Charter.

The Commissioners discussed the pros and cons of either approach and general consensus was reached to make a change to the City Charter regarding appointments. There was also discussion on cleaning up existing City Code language on removal of committee members and some general language changes to the section in the City Charter.

4. Discussion of Alternatives to the Current Method of Electing Commissioners to Fill Certain "Positions"

Under the Oregon City Charter Commissioners are elected to the Commission to fill certain "positions." The Commission wanted to explore alternative methods to elect commissioners, including a system that, when multiple commission positions are on the ballot, the two top vote-getters would be elected, rather than election by position.

Mayor Lyles Smith reviewed the prior occasions this discussion had been considered. Commissioner Marl felt the top two vote getters is the fairest approach.

Commissioner O'Donnell agreed with Commissioner Marl's comment and discussed the scenario of a third position vacancy and how that would be filled as outlined by Mr. Kabeiseman's memo. Commissioner Smith felt neutral on the topic.

Mayor Lyle Smith agreed with Commissioners Marl and O'Donnell and to keep the election process simple and fill any additional vacancy by Commission appointment.

There was discussion regarding the situation if a commissioner left a position early in a term and the pros and cons of appointing to complete the term of the departing Commissioner versus appointing and the appointee running for the position in the next election cycle.

Commissioner Marl commented that a "con" of a change is that voters may not understand or be aware and wind up not voting how they truly wish.

Commissioner McGriff commented that she felt it was important that the election process remain non-partisan. There was further discussion on balloting for elected positions and filling a position vacancy and that will depend on the amount of time remaining for the term.

Commissioners Marl and O'Donnell would like to see the elimination of term limits. There was further discussion on pros and cons of term limits and staff will return with recommendations and details at a future City Commission meeting.

CITY MANAGER'S REPORT

The City Manager did not have a report. Commissioner McGriff asked about the status of the November 2, 2021 vote on water infrastructure and Mr. Konkol indicated staff will be back to the Commission with recommendations based on the vote outcome. There was discussion on the ARPA funding and how the funds can and cannot be used.

COMMISSION COMMITTEE REPORTS

A. **Beavercreek Employment Area Blue Ribbon Committee** - Commissioner Frank O'Donnell

Nothing to report.

B. **Citizen Involvement Committee Liaison** - Commissioner Adam Marl

A roundtable discussion was held and mixed comments were voiced. There was a feeling the City has much to work on.

C. **Clackamas County Coordinating Committee (C4)** - Appointed: Mayor Rachel Lyles Smith Alternate: Commissioner Adam Marl

The housing update, the housing implementation plan and multiple funding streams were discussed. ODOT will be presenting at the December 2021 meeting on the I-205 tolling.

D. **Clackamas County I-205 Tolling Diversion Committee** - Appointed: Commissioner Adam Marl Alternate: Commissioner Frank O'Donnell

A meeting is scheduled for November 15, 2021.

E. **Clackamas Heritage Partners** - Commissioner Rocky Smith, Jr.

There will be an upcoming event for the Grande Ronde Tribal Council to review the new film and an upcoming public premiere. They also discussed how to get the Trail Center reopened and on future

funding. There is also a discussion with the City on building a long house representation at the Trails End site.

F. Clackamas Water Environment Services Policy Committee –
Appointed: *Commissioner Rocky Smith, Jr.*

Nothing to report.

G. Downtown Oregon City Association Board - Commissioner Denyse McGriff

They are working on the four pillars of the Mainstreet program and also working on possible building façade improvements. Successful trick or treat event downtown before Halloween.

H. Metro Policy Advisory Committee (MPAC) - Appointed: Mayor Rachel Lyles Smith
Alternate: *Commissioner Denyse McGriff*

Mayor Lyles Smith attended the meeting on October 27th. The redistricting process is happening. Newell Creek Park grand opening is set for December 6th. There will be a presentation on the park opening at the November 17th City Commission meeting by Christine Lewis with METRO. There was discussion on the homeless population in the park as it is the jurisdiction of Clackamas County and not Oregon City. Regional solid waste rates and recycling were the primary meeting topics.

I. OC 2040 Project Advisory Team - Appointed: Commissioners Adam Marl and Denyse McGriff

A meeting will be held on November 10th. Results of the survey will be reviewed.

J. Oregon Governor's Willamette Falls Locks Commission - Mayor Rachel Lyles Smith

There was a meeting on October 27th. The commission is terming out at the end of December and clarification discussed on terms and they also elected new leadership. The new Locks Authority group will be forming.

K. Oregon City Tourism Stakeholder's Group - Appointed: Commissioners Frank O'Donnell and Rocky Smith, Jr.

Training for staff at tourism facilities have been held.

L. Oregon City/West Linn Pedestrian and Bicycle Bridge Concept Plan Project Advisory Committee - Appointed: Commissioner Denyse McGriff

No meetings have been scheduled. Dialogue with West Linn Councilor Baumgardner on the topic.

M. South Fork Water Board (SFWB) - Mayor Rachel Lyles Smith, and Commissioners Frank O'Donnell and Rocky Smith, Jr.

They were able to go through the agenda. No meetings until January 2022. There was a discussion on the West Linn water supply issue and what the board can do to assist.

N. Willamette Falls and Landings Heritage Area - Appointed: Commissioner Denyse McGriff
Alternate: *Commissioner Frank O'Donnell*

First diversity training to be held on November 15th.

O. Willamette Falls Legacy Project Liaisons - Mayor Rachel Lyles
Smith and Commissioners Frank O'Donnell

Nothing to report.

ADJOURNMENT

Mayor Lyles Smith adjourned the meeting at 8:26 PM.

Respectfully submitted,

Jakob S. Wiley, Assistant City Recorder



CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 12/15/2021
From: Interim Planning Manager, Christina Robertson-Gardiner

SUBJECT:

Second Reading of Ordinance 21-1014 GLUA 21-00057 and LEG 21-00004:
Legislative Application for Housing Needs Analysis

STAFF RECOMMENDATION:

Staff recommends the City Commission approve the Second Reading of Ordinance 21-1014 and GLUA 21-00057 and LEG 21-00004.

EXECUTIVE SUMMARY:

The City is working on a Housing Needs Analysis (HNA), which includes maps, housing data, and forecasts on demographic and socioeconomic trends to understand how much housing will be needed in the future and if we have enough available land to accommodate the community's needs. The study estimates the number and needs of new households as well as the amount of new housing units that could be potentially constructed. This technical analysis will help the community understand whether Oregon City has enough land to accommodate growth over the next 20 years and if any housing policy changes are needed.

The draft study found that Oregon City should plan for the growth of 7,435 new dwelling units over the next 20 years. Much of the growth in housing will be driven by growth in households. The City will meet Metro's requirements for net density and housing mix but has a slight shortage of land for high-density housing and an unmet need for affordable housing. The City may address the unmet needs through policies though should continue to monitor housing over time.

The Planning Commission recommended the City Commission unanimously recommended the City Commission approve the proposal on October 25, 2021.

At the December 1, 2021 City Commission Hearing, the City Commission approved the First Reading of the Ordinance, which included the recommended redline revisions found on page ii of the Executive Summary as discussed by Beth Goodman, Senior Policy Advisor and Project Director at ECONorthwest, during the deliberations. Those revisions have been incorporated in Exhibit A

BACKGROUND:

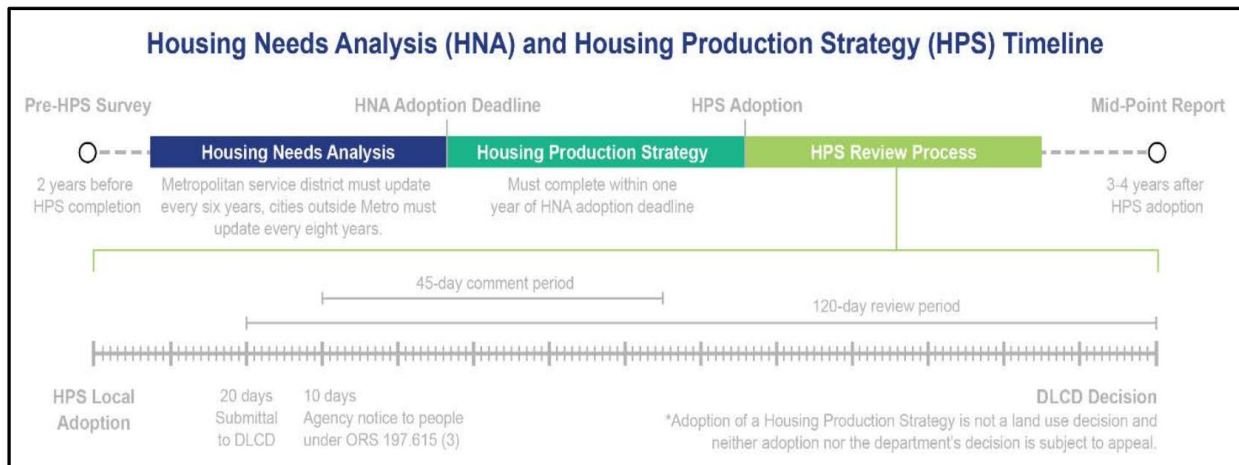
The City is working on a Housing Needs Analysis (HNA) which includes maps, housing data, and forecasts on demographic and socioeconomic trends to understand how much housing will be need in the future and if we have enough available land to accommodate the community's needs. The study estimates the number and needs of new households as well as the amount of new housing units that could be potentially constructed. This technical analysis will help the community understand whether Oregon City has enough land to accommodate growth over the next 20 years and if any housing policy changes are needed.

The HNA includes a map identifying land with minimal constraints that could be developed with a residential use if the property owner chooses to do so. The map is not intended to show where development will occur or the specific type or density of development, but to inform a reasonably accurate estimate of the amount of future housing opportunities citywide.

The draft study found that Oregon City should plan for the growth of 7,435 new dwelling units over the next 20 years. Much of the growth in housing will be driven by growth in households. The City will meet Metro's requirements for net density and housing mix but has a slight shortage of land for high-density housing and an unmet need for affordable housing. The City may address the unmet needs through policies though should continue to monitor housing over time. The study will be used to inform housing policy and projects in the future.

The Housing Needs Analysis will be used to inform future housing policies, such as the Oregon City Comprehensive Plan (OC 2040). The Planning Commission recommended the City Commission unanimously recommended the City Commission approve the proposal on October 25, 2021.

In 2020, the Land Conservation and Development Commission (LCDC) adopted Oregon Administrative Rules implementing a Housing Capacity Analysis Schedule. These Oregon Administrative Rules requires Oregon City update our Housing Needs Analysis every six years, effective 2022. If the proposed HNA is not adopted prior to December 31, 2021, the City will be required to revise the HNA in compliance with HB 2003 prior to December 31, 2022 and complete a Housing Production Strategy by December 31, 2023. If the City adopts the proposed HNA prior to the end of 2021, the next HNA update is not required for 6 years.



The City Commission recognized a need to support housing options in the City. The Commission identified the following goals within the 2021-2023 biennium goals related to housing:

- Prepare a plan to identify and implement housing strategies, tools, and opportunities that work best for Oregon City
- Update our code to provide additional housing opportunities in Oregon City

OPTIONS:

1. Approve the Second Reading of Ordinance 21-1014 and GLUA 21-00057 and LEG 21-00004.

BUDGET IMPACT:

Amount: N/A

FY(s):

Funding Source(s):

ORDINANCE NO. 21-1014

AN ORDINANCE OF THE CITY OF OREGON CITY AMENDING THE OREGON CITY COMPREHENSIVE PLAN BY REPEALING A 2002 HOUSING STUDY AND REPLACING IT WITH A 2021 HOUSING NEEDS ANALYSIS AS AN ANCILLARY DOCUMENT

WHEREAS, Oregon Revised Statutes (ORS) 197.175 requires cities to prepare, adopt, and implement comprehensive plans consistent with statewide planning goals adopted by the Land Conservation and Development Commission (LCDC); and

WHEREAS, Oregon Statewide Planning Goal 10 "Housing" is to provide for the housing needs of citizens of the state; and

WHEREAS, ORS 197.295-314 & 197.475-490 and Oregon Administrative Rules (OAR) division 660-008 implement Goal 10, and the administrative rule requires that cities have housing needs analyses to ensure opportunity for the provision of adequate numbers of needed housing units, the efficient use of buildable land within urban growth boundaries (UGBs), and to provide greater certainty in the development process so as to reduce housing costs.; and

WHEREAS, ORS 197.296 requires cities to establish a buildable lands inventory (BLI) as part of a housing needs analysis (HNA); and

WHEREAS, the City's currently effective Comprehensive Plan includes an HNA that was completed in 2002 and adopted in 2004;

WHEREAS, the proposed HNA was subject to extensive public review, including being presented or noticed to a number of public advisory groups including the OC 2040 Project Advisory Team, an OC 2040 Summit, the OC 2040 website, a project website, a public notice, the Development Stakeholders Committee, Neighborhood Associations, the Citizen Involvement Committee, and a joint work session between the City Commission and the Planning Commission; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2021 and recommended adoption of the proposed HNA to the City Commission; and

WHEREAS, the City Commission held public hearings on November 3, 2021, November 17, 2021 and December 1, 2021 and found that the proposed HNA complies with the applicable criteria for Legislative approval as discussed in the Staff Report and Recommended Findings for File LEG-21-00001.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The City of Oregon City Comprehensive Plan is amended to repeal and replace the 2002 Housing Study (adopted in 2004), and adopt a new Housing Needs Analysis as provided in attached Exhibit "A".

Section 2. The Commission adopts the Analysis and Findings for GLUA 21-00057 and LEG 21-00004 to explain how the HNA complies with applicable law and to justify the policy choices within the HNA.

Ordinance No. 21-1014

Effective Date: _____

Page 1 of 2

Read for the first time at a regular meeting of the City Commission held on the _____
Day of _____, 2021, and the City Commission finally enacted the foregoing ordinance
this _____ day of _____, 2021.

RACHEL LYLES SMITH, Mayor

Attested to this _____ day of _____,

Approved as to legal sufficiency:

City Recorder

City Attorney

From: [Beth Goodman](#)
To: [Christina Robertson-Gardiner](#)
Cc: [Margaret Raimann](#)
Subject: Oregon City HNA
Date: Tuesday, November 23, 2021 12:18:21 PM
Attachments: [OC Vacant Land Map with Annotations.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Christina -

Below are links to the revised document (because the files are big for email). I've also included an annotated version of the BLI map to show the differences between city limits and the Oregon City Planning Area, mentioned in the questions below

- Redline HNA --
https://www.dropbox.com/s/q33c5xf8dl8blx/Oregon%20City%20HNA%20_2021_11_23_Final%20Redline.pdf?dl=0
- Clean HNA --
https://www.dropbox.com/s/9w57u75wx23gx3i/Oregon%20City%20HNA%20_2021_11_23_Final_Clean.docx?dl=0

Please tell me if you need anything further.

Beth

The City Commission asked the following questions about the Oregon City Housing Needs Analysis (HNA). We have made changes to the HNA, as noted below, to respond to these questions and clarify these issues in the HNA.

1. Provide redline response to the Mayor's previous question on page ii (demographic and economic trends), remove the last sentence and explain why not specific to OC.

Question: If you are using county demographic vs city in other portions of the document, make sure that it is called out.

Answer: We have made a change on page ii of the HNA to remove the reference to "access to a range of household types for people of color." That was based on County and Statewide data, rather than Oregon City-specific data. We show County data in many other places in the document but also show Oregon City-specific data as well.

2. Clear up question relating to population vs household numbers using same geographic areas.

Question: Why do the population forecasts in Exhibit 21 not match well with the forecast of new dwelling units in Exhibit 60?

Answer: The population and new dwelling unit forecasts are both done by Metro. The population forecasts are only available by city limit. The dwelling unit forecast is available by city limit and Transportation Analysis Zones (TAZ). In the forecast of new dwelling units in Exhibit 60, we show the forecast for new dwelling units within the city limits (5,792 new dwelling units) and for areas outside the city limits (within the Metro UGB) in TAZ that are within Oregon City's urban growth management area (1,643 new dwelling units).

The reason we include forecast of new dwelling units in these TAZ are because Oregon City has large areas that are currently planned for housing growth that are outside the city limits and will be annexed into

the city eventually. These include the South End Concept Plan area and the Park Place Concept Plan. See the attached map showing Oregon City's buildable land. Since we included these areas in the buildable land inventory, we also needed to count the growth expected in these areas. The choice to include these areas in the buildable lands inventory was made in discussions with staff, based on the fact that these areas have existing concept plans. We worked with staff to make sure that the forecast of new housing growth in these areas from the Metro forecast was consistent with the Concept Plans.

To compare the forecast of new population forecast for the 2021-2041 period with forecast of new dwelling units, one must compare the number of population growth within the city limits (9,852 new residents) with the new dwelling unit forecast in Exhibit 60 for the city limits (5,792 new dwelling units). A comparison of the two suggests an average household size of about 1.7 persons per dwelling unit, reflecting decreases in household size in the future with expected growth of more single-person households.

We added footnotes to Exhibit 21 and Exhibit 60 to explain this.

3. Forecast of housing by tenure (owner/renter).

Question: Is there an assumption projected of renter vs owner occupied? Why is it include/not included?

Answer: There is not an assumption about future owner/renter occupancy. At this point, it is too early to know how much missing middle housing may be owner or renter occupied. Adding such an assumption would be unsupported at this point, given that the requirements around middle housing types are new and it is not clear what will be built over the next year and what ownership will be. The City can influence ownership rates for missing middle housing by developing policies that supports development of owner-occupied missing middle housing.

4. How to use the HNA and its long-term purpose.

Question: Do you have a standard “how to use this document over time language.” Will the City be limited in its policy choices by the HNA for the next 20 years?

Answer: We added a little bit about the purpose of the HNA on page 1 of the document. The HNA replaces the 2002 Oregon City HNA. So, it provides more timely information about the City's housing market characteristics and expected growth. The HNA will be used as the factual basis to make changes the City Commission chooses to make to the City's Comprehensive Plan policies, changes to the Development Code, changes to the zoning map, or other policy changes.

The State now requires that cities within the Metro UGB revise their HNA every 6 years. So, the City will develop a new HNA for adoption into its Comprehensive Plan for growth over the 2027-2047 period by December 31, 2027.

Beth Goodman (she | her | hers)
Senior Policy Advisor and Project Director

ECONorthwest
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Portland | Seattle | Los Angeles | Boise



Planning Division

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

LEGISLATIVE STAFF REPORT AND RECOMMENDATION

A preliminary analysis of the applicable approval criteria for a legislative proposal is enclosed within the following report.

October 15, 2021

HEARING DATE: October 25, 2021 - Planning Commission (First Hearing Date)

FILE NUMBER: GLUA 21-00057 and LEG 21-00004: Legislative Application for Housing Needs Analysis

APPLICANT: City of Oregon City, PO Box 3040, Oregon City, OR 97045

REQUEST: The City of Oregon City is proposing to adopt a 2021 Housing Needs Analysis as an ancillary document to the Comprehensive Plan and repeal a previous 2002 housing study.

LOCATION: Citywide and within Urban Growth Boundary

This legislative application is subject to the Administration and Procedures section of the Oregon City Code set forth in Chapter 17.50. The application and all supporting documents submitted by or on behalf of the applicant are available for inspection at no cost at the Oregon City Planning Division, 695 Warner Parrott Road, during regular business days, 9am- 4pm Monday thru Friday. Copies of these materials may be obtained for a reasonable cost. The staff report, with all the applicable approval criteria, will also be available for inspection seven days prior to the hearing. Any interested party may testify at the public hearing and/or submit written testimony at or prior to the close. Notice of the decision shall be sent to all persons submitting comments and providing a return address. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 the City Commission's Rules of Procedure.

I. BACKGROUND:

The enclosed Housing Needs Analysis (HNA) includes housing data and forecasts on demographic and socioeconomic trends to understand how much housing will be need in the future and if we have enough available land to accommodate the community's needs. This technical analysis will help the community understand whether Oregon City has enough land to accommodate growth over the next 20 years and if any housing policy changes are needed.

The housing forecast will repeal and replace the Housing Technical Report (2002), which was adopted in 2004 as an ancillary document to the Comprehensive Plan.

The *Oregon City 2021-2041 Housing Needs Analysis* presents a forecast of future housing growth in Oregon City for the 2021-2041 period. It includes an inventory of buildable residential land within Oregon City and in areas of future expansion for the City (only including areas within the Metro urban growth boundary). The *Housing Needs Analysis* presents information about residential development trends and housing affordability within Oregon City.¹ It provides a foundation for future housing policy decisions.

The draft study found that Oregon City should plan for the growth of 7,435 new dwelling units over the next 20 years. Much of the growth in housing will be driven by growth in households. The City will meet Metro's requirements for net density and housing mix but has a slight shortage of land for high-density housing and an unmet need for affordable housing. The City may address the unmet needs through policies though should continue to monitor housing over time. The study will be used to inform housing policy and projects in the future.

The City Commission recognized a need to support housing options in the City. The study will be used to inform housing policies and actions in the upcoming Comprehensive Plan Update process (OC 2040). OC 2040 will develop policies to respond to the unmet housing needs identified in the Housing Needs Analysis. In addition, the City Commission identified the following goals within the 2021-2023 biennium goals related to housing which the draft HNA will help to inform:

- Prepare a plan to identify and implement housing strategies, tools and opportunities that work best for Oregon City
- Update our code to provide additional housing opportunities in Oregon City

In 2020, the Land Conservation and Development Commission (LCDC) adopted Oregon Administrative Rules implementing a Housing Capacity Analysis Schedule. These Oregon Administrative Rules requires Oregon City update our Housing Needs Analysis every six years, effective 2022. If the proposed HNA is not adopted prior to December 31, 2021, the City will be required to revise the HNA in compliance with HB 2003 prior to December 31, 2022 and complete a Housing Production Strategy by December 31, 2023. If the City adopts the proposed HNA prior to the end of 2021, the next HNA update is not required for 6 years.

II. DECISION-MAKING CRITERIA

¹ The UGB areas include the buildable lands inventory and forecasted household growth in TAZs 726, 733, and 740.

Chapter 17.68 - Zoning Changes and Comprehensive Plan Amendments

17.68.010 - Initiation of the amendment.

A text amendment to the comprehensive plan, or an amendment to the zoning code or map or the Comprehensive Plan map, may be initiated by:

- A. A resolution request by the City Commission;*
- B. An official proposal by the Planning Commission;*
- C. An application to the Planning Division; or.*
- D. A Legislative request by the Planning Division.*

All requests for amendment or change in this title shall be referred to the Planning Commission.

Finding: Complies as Proposed. The proposal qualifies as initiated as a legislative request by the Planning Division at the direction of the City Commission.

17.68.015 –Procedures.

Applications shall be reviewed pursuant to the procedures set forth in Chapter 17.50.

17.50.170 - Legislative hearing process.

A. Purpose. Legislative actions involve the adoption or amendment of the city's land use regulations, comprehensive plan, maps, inventories and other policy documents that affect the entire city or large portions of it. Legislative actions which affect land use shall begin with a public hearing before the planning commission.

B. Planning Commission Review.

1. Hearing Required. The planning commission shall hold at least one public hearing before recommending action on a legislative proposal. Any interested person may appear and provide written or oral testimony on the proposal at or prior to the hearing. The community development director shall notify the Oregon Department of Land Conservation and Development (DLCD) as required by the post-acknowledgment procedures of ORS 197.610 to 197.625, as applicable.

C. City Commission Review.

1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.

2. Notice of Final Decision. Not later than five days following the city commission final decision, the community development director shall mail notice of the decision to DLCD in accordance with ORS 197.615(2).

Finding: Complies as Proposed. This legislative action has followed the procedures found in OCMC 17.50.170 including meetings with the Citizen Involvement Committee and anticipated meetings with the Planning Commission and City Commission.

17.68.020 - Criteria.

The criteria for comprehensive plan amendment or text or map amendment in the zoning code are set forth as follows:

A. The proposal shall be consistent with the applicable goals and policies of the comprehensive plan;

Finding: Complies as Proposed. This legislative action is consistent with the applicable goals and policies of the comprehensive plan, as detailed in the responses below. Therefore, the proposed amendments are consistent with Criterion (A).

Conformity of the proposal with the city's comprehensive plan;

Goal 1: Citizen Involvement

Goal 1.1 – Citizen Involvement Program

Policy 1.1.1 *Utilize neighborhood associations as the vehicle for neighborhood-based input to meet the requirements of the Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement. The Citizen Involvement Committee (CIC) shall serve as the officially recognized citizen committee needed to meet LCDC Statewide Planning Goal 1.*

Finding: Complies as Proposed. Neighborhood Associations were sent an invitation to comment on the draft HNA as well as an excerpt of the vacant and partially vacant unconstrained map for land within their neighborhood association boundaries for comment on September 15. Notice of this Legislative application was emailed to neighborhood associations and a presentation was given to the Citizen Involvement Committee at their October 4, 2021 meeting.

Goal 1.2 *Community and Comprehensive Planning Ensure that citizens, neighborhood groups, and affected property owners are involved in all phases of the comprehensive planning program.*

Finding: Complies as Proposed. The City of Oregon City held public meetings presenting the results of the *Housing Needs Analysis* report on July 28, 2021, with the OC 2040 Project Advisory Team (PAT) , and on September 7, 2021, with the Oregon City Planning Commission and City Commission. Both meetings provided an opportunity to learn about the analysis, ask questions, and provide input into the outcomes of the analysis. A project website was established, and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15. Notice of the application was provided in the October citywide utility bill. In addition, the HNA was presented to the Citizen Involvement Committee at their October 4th meeting, and notice of the HNA was emailed to neighborhood associations and the Citizen Involvement Committee on October 4.

Policy 1.2.1 *Encourage citizens to participate in appropriate government functions and land-use planning.*

Finding: Complies as Proposed. The City of Oregon City held public meetings presenting the results of the *Housing Needs Analysis* report on July 28, 2021, with the OC 2040 Project Advisory Team (PAT) , and on September 7, 2021, with the Oregon City Planning Commission and City Commission. Both meetings provided an opportunity to learn about the analysis, ask questions, and provide input into the outcomes of the analysis. A project website was established and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15. Notice of the application was provided in the October citywide utility bill. In addition, the HNA was presented to the Citizen Involvement Committee at their October 4th meeting, and notice of

the HNA was emailed to the Development Stakeholder Group in October. Notice of this Legislative application was emailed to a variety of agencies, the neighborhood associations, and the Citizen Involvement Committee on October 4.

Goal 1.4 – Community Involvement

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

Finding: Complies as Proposed. The City of Oregon City held public meetings presenting the results of the *Housing Needs Analysis* report on July 28, 2021, with the OC 2040 Project Advisory Team (PAT), and on September 7, 2021, with the Oregon City Planning Commission and City Commission. Both meetings provided an opportunity to learn about the analysis, ask questions, and provide input into the outcomes of the analysis. The draft *Housing Needs Analysis* was made available on the OC 2040 PAT web page and again in the joint Oregon City Planning Commission and City Commission packet. A project website was established, and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15. Notice of the application was provided in the October citywide utility bill. In addition, the HNA was presented to the Citizen Involvement Committee at their October 4th meeting and notice of the HNA was emailed to the Development Stakeholder Group in October. Notice of this Legislative application was emailed to a variety of agencies, the neighborhood associations, and the Citizen Involvement Committee on October 4.

Policy 1.4.1 *Notify citizens about community involvement opportunities when they occur.*

Finding: Complies as Proposed. Opportunities to become involved in the PAT meeting were noticed a week in advance of the meeting and the joint Oregon City Planning Commission and City Commission was also noticed. A project website was established and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15. Notice of the application was provided in the October citywide utility bill. Notice of this Legislative application was emailed to a variety of agencies, the neighborhood associations, and the Citizen Involvement Committee on October 4.

Comprehensive Plan Section 2 Land Use

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.

Finding: Complies as Proposed. The *Housing Needs Analysis* developed an inventory of buildable land where housing is allowed with clear and objective standards. The inventory included all land in residential plan designations, as well as land in the Mixed-Use Corridor, Mixed-Use Downtown, and General Commercial designations. The inventory identified vacant and partially vacant land, excluding land with development constraints that prohibit development. These development constraints included: land within floodplains and floodways, land within natural resource protection areas, land with slopes over 25%, and land in geologic hazards.

The *Housing Needs Analysis* forecast the future of Oregon City's housing mix in accordance with the requirements of OAR 660-007-0030 (1), which says that Oregon City must "...provide the opportunity for

at least 50 percent of new residential units to be attached single-family housing or multiple family housing..." The *Housing Needs Analysis* assumes that 50% of new housing in Oregon City will be single-family detached, 20% will be single-family attached, 10% will be duplex/triplex/quadplex, and 20% will be multi-family with five or more units per structure. In 2015-2019, 73% of Oregon City's housing was single-family detached, 7% was single-family attached, 6% was duplex/triplex/quadplex, and 13% was multi-family with five or more units per structure

The *Housing Needs Analysis* analyzed development densities for development occurring over the 2000 to 2020 period. The *Housing Needs Analysis* analyzed assumed new development would occur at the same densities as it had in the past, with an increase of 3% in densities in residential plan designations to account for the implementation of House Bill 2001, as allowed by ORS 197.296 (6) (b).

The overall average density for development that occurred between 2000 and 2020 was 6.6 dwelling units per acre. Given the existing base of buildable residential land in Oregon City and the assumptions above about housing mix and density, the *Housing Needs Analysis* shows that Oregon City is planning for an overall average of 9.5 dwelling units per net acre.

Through these measures, residential land is used efficiently and developed sustainably.

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.

Finding: Complies as Proposed. The *Housing Needs Analysis* builds from existing master plans, such as the Park Place, Thimble Creek, and South End master plans. These plans determined the facilities, connectivity, land uses, and commercial centers in Oregon City. The *Housing Needs Analysis* uses densities from historical development and the densities currently allowed within these master plans and the City's Comprehensive Plan and zoning code.

The *Housing Needs Analysis* accounts for environmental constraints, which reduce the amount of buildable land. These constraints include Goal 5 Natural Resources Constraints (such as regulated wetlands, natural resources overlay district, and landslide hazards) and Natural Hazard Constraints (such as floodways, 100-year floodplain, and steep slopes).

This criterion is met through use of historical development policies, current densities allowed within the master plans and the City's Comprehensive Plan and zoning code, and with exclusion of environmental constraints from the inventory of buildable land. The HNA will not result in any change to the development code or automatic zoning changes.

Goal 2.5 Retail and Neighborhood Commercial

Policy 2.5.4 *Encourage the development of successful commercial areas organized as centers surrounded by higher density housing and office uses, rather than as commercial strips adjacent to low-density housing.*

Finding: Complies as Proposed. The *Housing Needs Analysis* assumes that residential development will occur on 70% of vacant unconstrained buildable land in the Mixed-Use Plan Designation at a density of 19.8 dwelling units per net acre, consistent with historical development densities in Mixed-Use over the 2000 to 2020 period. The *Housing Needs Analysis* assumes that Mixed Use areas will develop with a

mixture of residential and commercial uses, both in vertical mixed-use buildings and as a mixed-use district.

Goal 2.7 Oregon City Comprehensive Plan Land-Use Map

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

Finding: Complies as Proposed. The *Housing Needs Analysis* uses information about housing mix and density-based both on historical development patterns for the 2000 to 2020 period and the uses currently allowed in the *Oregon City Comprehensive Plan*. The buildable lands inventory identifies vacant, unconstrained buildable land based on the *Oregon City Comprehensive Plan Land-Use Map*.

Policy 2.7.1 *Maintain a sufficient land supply within the city limits and the Urban Growth Boundary to meet local, regional, and state requirements for accommodating growth.*

Finding: Complies as Proposed. The *Housing Needs Analysis* finds that Oregon City² has sufficient residential capacity vacant, unconstrained buildable land in the following designations: Low-Density Residential, Medium Density Residential, and Mixed-Use. The *Housing Needs Analysis* finds that Oregon City has a deficit for about 169 dwelling units or 8 acres of land in the High-Density Residential designation.

The *Housing Needs Analysis* recommends that Oregon City monitor land available in all plan designation and may look for opportunities for redevelopment on underutilized land to address the minor deficit of high-density residential land. Through the OC 2040 project, the City will identify opportunities to meet the identified land deficit in the High-Density Residential designation.

Goal 3: Agricultural Lands

Finding: Not Applicable. Goal 3 is not applicable.

Goal 4: Forest Lands

Finding: Not Applicable. Goal 4 is not applicable.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Finding: Complies as Proposed. Goal 5 requires the City to inventory, protect and conserve natural, scenic, and historic resources within the City. The buildable land inventory conducted as part of the *Housing Needs Analysis* addresses areas that the City has identified as natural resources through its Goal 5 inventory, regional inventories of natural resources, and associated development code requirements intended to protect, conserve or minimize impacts to these resources. The BLI identifies these areas as "constrained" consistent with City development code standards and policies and assumes no for future housing in these areas. Through this analysis process and continued implementation of the City's policies and standards associated with natural resource protection, City staff find the requirements of Goal 5 have been met.

Goal 6: Quality of Air, Water, and Land Resources

² Oregon City includes land within the city limits and UGB areas adjacent to Oregon City that are expected to annex into Oregon City in the future. The UGB areas include the buildable lands inventory and forecasted household growth in TAZs 726, 733, and 740.

Finding: Not Applicable. Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations. By complying with applicable air, water, and land resource quality policies in the Oregon City Comprehensive Plan, City staff find the requirements of Goal 6 have been properly addressed.

Goal 7: Natural Hazards

Finding: Complies as Proposed. Goal 7 requires that jurisdictions apply appropriate safeguards when planning development in areas that are subject to natural hazards such as flood hazards.

The identified natural hazards in Oregon City are flooding and landslide hazards. Land within the floodway is considered unsuitable for urban development. The alternatives analysis considered lands within the 100-year floodplain, steep slopes, and areas with landslide hazards to be unbuildable and excluded from the inventory of vacant, unconstrained buildable land. The requirements of Goal 7 have been properly addressed.

Goal 8: Parks and Recreation

Finding: Not Applicable. Goal 8 is not applicable.

Goal 9: Economic Development

Finding: Not Applicable. Goal 9 is not applicable.

Goal 10: Housing

Policy 10.1.1 Maintain the existing residential housing stock in established older neighborhoods by maintaining existing Comprehensive Plan and zoning designations where appropriate.

Finding: Complies as Proposed. The *Housing Needs Analysis* assumes that vacant, unconstrained buildable land in existing residential Comprehensive Plan Designations will develop at densities consistent with historical development in each designation and the densities currently allowed within these master plans and the City's Comprehensive Plan and zoning code. The *Housing Needs Analysis* does not pose changes to the existing Comprehensive Plan or zoning maps. This criterion is met.

Policy 10.1.3 Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development.

Finding: Not Applicable. The Oregon City *Comprehensive Plan Land-Use Map* has designated land for a balanced variety of densities and housing types. No changes to the map are proposed. This criterion is met.

Policy 10.1.4 Aim to reduce the isolation of income groups within communities by encouraging diversity in housing types within neighborhoods consistent with the Clackamas County Consolidated Plan, while ensuring that needed affordable housing is provided.

Finding: Complies as Proposed. The *Housing Needs Analysis* forecasts increases in housing diversity of housing types in Oregon City as follows: 50% of new housing will be single-family detached (compared with 73% of existing housing stock); 20% of new housing will be single-family attached (compared with 7% of existing housing stock); 10% of new housing will be duplex/triplex/quadplex (compared with 6% of existing housing stock); and 20% of new housing will be multi-family with five or more units per structure (compared with 13% of existing housing stock).

The *Housing Needs Analysis* finds that Oregon City has an unmet need for affordable housing. About 34% of households in Oregon City are cost burdened (i.e., spending 30% or more of their income on housing costs), with 50% of renter households cost-burdened. As the City grows through 2041, the need for affordable housing will grow with population, with about 26% of new households needing housing affordable to households earning less than 50% of Clackamas County's Median Family Income (\$46,000) and 21% of new households needing housing affordable to households earning between 50% and 80% of Clackamas County's Median Family Income (\$46,000 to \$74,000).

The lack of affordability will continue to be a problem, possibly growing in the future if incomes continue to grow at a slower rate than housing costs. The *Housing Needs Analysis* recommends that Oregon City should provide opportunities for affordable housing development for both rental and ownership over the 20-year period, and the City should look for opportunities for affordable housing development for all housing types.

Through the OC 2040 project, Oregon City will develop policies to respond to the unmet need for affordable housing to respond to needs identified in the *Housing Needs Analysis*. This criterion is met.

Goal 10.2 Supply of Affordable Housing Provide and maintain an adequate supply of affordable housing.

Finding: Complies as Proposed. The *Housing Needs Analysis* identifies need for additional affordable housing and recommends the City should develop policies to support production of affordable housing. Through the OC 2040 project, Oregon City will develop policies to respond to the unmet need for affordable housing to respond to the needs identified in the *Housing Needs Analysis*.

Policy 10.2.1 Retain affordable housing potential by evaluating and restricting the loss of land reserved or committed to residential use. When considering amendments to the *Comprehensive Plan Land-Use Map*, ensure that potential loss of affordable housing is replaced.

Finding: Complies as Proposed. The *Housing Needs Analysis* does not propose actions that will result in loss of land for residential uses or changes to the *Comprehensive Plan Land-Use Map*. This criterion is not applicable.

Goal 11: Public Facilities

Finding: Not Applicable. Goal 11 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 12: Transportation

Finding: Not Applicable. Goal 12 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 13 – Energy

Finding: Not Applicable. Goal 13 is not applicable.

Section 14 Urbanization

Finding: Not Applicable. Goal 14 is not applicable as no change is proposed to the Metro Urban Growth Boundary.

Goal 14.1 Urban Growth Boundary Establish, and amend when appropriate, the Urban Growth Boundary in the unincorporated area around the City that contains sufficient land to accommodate growth during the planning period for a full range of city land uses, including residential, commercial, industrial, and institutional.

Policy 14.1.1 The Urban Growth Boundary shall conform to Title 11 of the Code of the Metropolitan Service District and will provide sufficient land to accommodate 20-year urban land needs, resulting in efficient urban growth and a distinction between urban uses and surrounding rural lands, and promoting appropriate infill and redevelopment in the City

Section 15 Willamette River Greenway

Finding: Not Applicable. Goal 15 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Statewide Planning Goals

Goal 1 Citizen Involvement

Finding: Complies as Proposed. Goal 1 calls for the opportunity for citizens to be involved in all phases of the planning process. The public was provided the opportunity to be involved in the decision-making process regarding the *Housing Needs Analysis* through public meetings (in-person and by video conference), including: (1) the OC 2040 Project Advisory Team (PAT) on July 28, 2021 and (2) a joint work session with the Oregon City Planning Commission and City Commission September 7, 2021. Notice of the project was sent to the neighborhood associations, Citizen Involvement Committee, and the Development Stakeholders Group. The Citizen Involvement Committee will heard a presentation on October 4 and the CIC and neighborhood associations were emailed the legislative notice later the same day.

A project website was established and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15. Notice of the application was provided in the October citywide utility bill.

Goal 2 Land Use Planning

Finding: Complies as Proposed. Goal 2 outlines the basic procedures of Oregon's statewide planning program, stating that land use decisions must be made in accordance with comprehensive plans and that effective implementation ordinances must be adopted.

In the process of developing the housing needs analysis, the City inventoried existing residential land uses, projected suitable land needs by land use classifications, and compared these needs with buildable land within Oregon City. The *Housing Needs Analysis* finds that Oregon City has sufficient residential capacity vacant, unconstrained buildable land in the following designations: Low Density Residential, Medium Density Residential, and Mixed Use. The *Housing Needs Analysis* finds that Oregon City has a deficit for about 169 dwelling units or 8 acres of land in the High Density Residential designation. The requirements of Goal 2 are met.

Goal 3: Agricultural Lands

Finding: Not Applicable. Goal 3 is not applicable.

Goal 4: Forest Lands

Finding: Not Applicable. Goal 4 is not applicable.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Finding: Complies as Proposed. Goal 5 requires the City to inventory, protect and conserve natural, scenic and historic resources within the City. The buildable land inventory conducted as part of the *Housing Needs Analysis* addresses areas that the City has identified as natural resources through its Goal 5 inventory, regional inventories of natural resources, and associated development code requirements intended to protect, conserve or minimize impacts to these resources. The BLI identifies these areas as "constrained" consistent with City development code standards and policies and assumes no for future housing in these areas. Through this analysis process and continued implementation of the City's policies and standards associated with natural resource protection, the requirements of Goal 5 have been met.

Goal 6: Quality of Air, Water, and Land Resources

Finding: Not Applicable. Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations. By complying with applicable air, water, and land resource quality policies in the Oregon City Comprehensive Plan, the requirements of Goal 6 have been properly addressed.

Goal 7: Natural Hazards

Finding: Complies as Proposed. Goal 7 requires that jurisdictions apply appropriate safeguards when planning development in areas that are subject to natural hazards such as flood hazards.

The identified natural hazards in Oregon City are flooding and landslide hazards. Land within the floodway is considered unsuitable for urban development. The alternatives analysis considered lands within the 100-year floodplain, steep slopes, and areas with landslide hazards to be unbuildable and excluded from the inventory of vacant, unconstrained buildable land. The requirements of Goal 7 have been properly addressed.

Goal 8 Recreational Needs

Finding: Not Applicable. Goal 8 is not applicable.

Goal 9 Economic Development

Finding: Not Applicable. Goal 9 is not applicable.

Goal 10 Housing

Finding: Complies as Proposed. Goal 10 requires the City to maintain and plan for an adequate supply of land to accommodate 20 years of future growth, providing flexibility in housing location, type, and density to ensure the availability and prices of housing units are commensurate with the needs and financial capabilities of Oregon households. Comprehensive plans are required to include an analysis of local housing needs by type and affordability, an assessment of housing development potential, and an inventory of residential land; contain policies for residential development and supportive services based on that analysis that increase the likelihood that needed housing types will be developed; and provide

for an adequate supply of a variety of housing types consistent with identified policies and meeting minimum density and housing mix requirements (established by OAR 660, Division 007).

The *Housing Needs Analysis*, which is proposed to be adopted as an ancillary document to the Comprehensive Plan, provides information about the factors that could affect housing development, including demographics, affordability trends, workforce housing availability, market health, and regulatory structure. The *Housing Needs Analysis* includes the City's buildable lands inventory for residential within Oregon City and UGB areas outside of the city limits but within the UGB.³

The *Housing Needs Analysis* finds that Oregon City has sufficient residential capacity vacant, unconstrained buildable land in the following designations: Low-Density Residential, Medium Density Residential, and Mixed-Use. The *Housing Needs Analysis* finds that Oregon City has a deficit for about 169 dwelling units or 8 acres of land in the High-Density Residential designation.

The *Housing Needs Analysis* is intended to identify unmet housing needs. Future policy work in the OC 2040 project, will identify remedies to the unmet housing needs. The *Housing Needs Analysis* recommends that Oregon City monitor land available in all plan designation and may look for opportunities for redevelopment on underutilized land to address the minor deficit of high-density residential land. Through the OC 2040 project, Oregon City will develop policies to respond to the unmet need for affordable housing to respond to the needs identified in the *Housing Needs Analysis* and the identified land deficit in the High-Density Residential designation.

The proposed HNA will repeal and replace the 2002 housing analysis which was adopted in 2004 as an ancillary document to the Comprehensive Plan. This criterion is met.

Consistency with the Metropolitan Planning Rule

Cities within the Portland Metropolitan region must comply with two requirements related to the capacity of buildable land. Both requirements are found in Oregon Administrative Rule (OAR) 660-007. The two rules state that:

- *Jurisdictions other than small developed cities must either designate sufficient buildable land to provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing or justify an alternative percentage based on changing circumstances. (OAR 660-007-0030 (1))*
- *Clackamas and Washington Counties, and the cities of Forest Grove, Gladstone, Milwaukie, Oregon City, Troutdale, Tualatin, West Linn and Wilsonville must provide for an overall density of eight or more dwelling units per net buildable acre. (OAR 660-007-0035 (2))*

Oregon City is in compliance with both these requirements.

- The *Housing Needs Analysis* forecasts increases in housing diversity of housing types in Oregon City as follows: 50% of new housing will be single-family detached (compared with 73% of existing housing stock); 20% of new housing will be single-family attached (compared with 7% of existing housing stock); 10% of new housing will be duplex/triplex/quadplex (compared with 6%

³ The UGB areas include the forecasted household growth in TAZs 726, 733, and 740.

of existing housing stock); and 20% of new housing will be multi-family with five or more units per structure (compared with 13% of existing housing stock).

- The *Housing Needs Analysis* shows that Oregon City is planning for an overall average of 9.5 dwelling units per net acre, as a result of the existing base of buildable residential land in Oregon City and the assumptions above about housing mix and density.

This criterion is met.

Goal 11 Public Facilities and Services

Finding: Not Applicable. Goal 11 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 12 Transportation

Finding: Not Applicable. Goal 12 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 13 Energy Conservation

Finding: Not Applicable. Goal 13 is not applicable.

Goal 14 Urbanization

Finding: Not Applicable. Goal 14 is not applicable as no change is proposed to the Metro Urban Growth Boundary, which Oregon City is within.

Goal 15 Willamette River Greenway

Finding: Not Applicable. Goal 15 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 16 Estuarine Resources

Finding: Not Applicable. Goal 16 is not applicable.

Goal 17 Coastal Shorelands

Finding: Not Applicable. Goal 17 is not applicable.

Goal 18 Beaches and Dunes

Finding: Not Applicable. Goal 18 is not applicable.

Goal 19 Ocean Resources

Finding: Not Applicable. Goal 19 is not applicable.

Chapter 17.50 Administration and Procedures

17.50.050 – Pre-application conference.

- A. *Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an*

opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.

1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.
 2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.
 3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.
- B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.
- C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Finding: Complies as Proposed. The proposed Legislative application held a pre-application conference (PA 21-36) on September 1 including discussion of the review process and applicable criteria.

17.50.055 - Neighborhood association meeting.

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

- A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.
- B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.
- C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred

feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.

- D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.*
- E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

Finding: Complies as Proposed. The criterion is not applicable to the Legislative application proposed, however, the Citizen Involvement Committee heard a presentation of the Housing Needs Analysis on October 4.

Metro Requirements

The Metro UGMFP provides tools to meet regional goals and objectives adopted by Metro Council, including the 2040 Growth Concept and the Regional Framework Plan. Under the Metro Charter, the City of Oregon City's Comprehensive Plan and implementing ordinances are required to comply and be consistent with the UGMFP. The UGMFP consists of 11 code titles with policies and compliance procedures for the following topics:

- Title 1: Housing Capacity
- Title 3: Water Quality and Flood Management (not applicable)
- Title 4: Industrial and Other Employment Areas (not applicable)
- Title 6: Centers, Corridors, Station Communities and Main Streets (not applicable)
- Title 7: Housing Choice
- Title 8: Compliance Procedures
- Title 10: Definitions (not applicable)
- Title 11: Planning for New Urban Areas (not applicable)
- Title 12: Protection of Residential Neighborhoods (not applicable)
- Title 13: Nature in Neighborhoods (not applicable)
- Title 14: Urban Growth Boundary (not applicable)

Metro requires "substantial compliance" with requirements in the UGMFP. Per the definition in Title 10, "substantial compliance" means that the City's Comprehensive Plan conforms with the purposes of the performance standards in the functional plan "on the whole." Any failure to meet individual performance standard requirements is considered technical or minor in nature.

The findings below address applicable Titles of the UGMFP. Based on the findings described below, the proposed Comprehensive Plan Amendment substantially complies with all applicable titles of the UGMFP.

Title 1: Housing Capacity

Finding: Complies as Proposed. Title 1 of the UGMFP is intended to promote efficient land use within the Metro urban growth boundary (UGB) by increasing the capacity to accommodate housing. Title 1 requires the City to adopt minimum residential development density standards by March 2011. If the City did not adopt a minimum density by March 2011, the City must adopt a minimum density that is at least 80 percent of the maximum density. Title 1 also provides measures to decrease development capacity in selected areas by transferring the capacity to other areas of the community. This may be approved as long as the community's overall capacity is not reduced.

Oregon City has established minimum densities in its Zoning Code (Title 17: Zoning of the Oregon City Municipal Code) for each residential base zone. These minimum and maximum densities comply with Title 1 for all zones where residential dwelling units are authorized.

The *Housing Needs Analysis* replaces the existing factual basis in the Oregon City Comprehensive Plan and does not reduce densities or make any changes to land use designations or zoning. The *Housing Needs Analysis* assumes increases in housing diversity, with an increase in the share of new housing that will be attached or multi-family housing types. The *Housing Needs Analysis* assumes no decrease in densities and an overall increase in average density resulting from the increase in the future share of attached and multi-family housing types. Further, Metro's 2019 Compliance Report (the most recent report available) concludes that Oregon City is in compliance for the City's Title 1 responsibilities.

Based on the findings above, the *Housing Needs Analysis* is consistent with Title 1.

Title 7: Housing Choice

Finding: Complies as Proposed. Title 7 of Metro's Urban Growth Management Functional Plan is designed to ensure the production of affordable housing in the Metro UGB. Each City and county within the Metro region is encouraged to voluntarily adopt an affordable housing production goal. Each jurisdiction within the Metro region is required to ensure that their comprehensive plans and implementing ordinances include strategies to:

- Ensure the production of a diverse range of housing types;
- Maintain the existing supply of affordable housing, increase opportunities for new affordable housing dispersed throughout their boundaries; and
- Increase opportunities for households of all income levels to live in affordable housing (3.07.730).

The *Housing Needs Analysis* assumes that the diversity of housing types will increase in Oregon City. The *Housing Needs Analysis* shows that Oregon City has sufficient residential capacity vacant, unconstrained buildable land in the following designations: Low-Density Residential, Medium Density Residential, and Mixed Use. The *Housing Needs Analysis* finds that Oregon City has a deficit for about 169 dwelling units or 8 acres of land in the High Density Residential designation. The *Housing Needs Analysis* recommends that Oregon City monitor land available in all plan designation and may look for opportunities for redevelopment on underutilized land to address the minor deficit of high-density residential land.

The *Housing Needs Analysis* finds that Oregon City has an unmet need for affordable housing. About 34% of households in Oregon City are cost burdened (i.e., spending 30% or more of their income on housing costs), with 50% of renter households cost-burdened. As the City grows through 2041, the need

for affordable housing will grow with population, with about 26% of new households needing housing affordable to households earning less than 50% of Clackamas County's Median Family Income (\$46,000) and 21% of new households needing housing affordable to households earning between 50% and 80% of Clackamas County's Median Family Income (\$46,000 to \$74,000).

The *Housing Needs Analysis* is intended to identify unmet housing needs. Future policy work, in the OC 2040 project, will identify remedies to the unmet housing needs. The *Housing Needs Analysis* recommends that Oregon City should provide opportunities for affordable housing development for both rental and ownership over the 20-year period, and the City should look for opportunities for affordable housing development for all housing types. Through the OC 2040 project, Oregon City will develop policies to respond to the unmet need for affordable housing. In addition, Metro's 2019 *Compliance Report* concludes that Oregon City is in compliance for the City's Title 7 responsibilities.

Based on the findings above, the *Housing Needs Analysis* is consistent with Title 7.

Title 8: Compliance Procedures

Finding: Complies as Proposed. Title 8 establishes a process for ensuring compliance with the requirements of the UGMFP. An amendment to the City comprehensive plan or land use regulations is deemed to comply with the UGMFP only if the City provided notice to Metro as required by section 3.07.820(a). The City of Oregon City will provide Metro with a copy of the draft *Housing Needs Analysis* via Oregon Department of Land Conservation and Development's Plan Amendments (PAPA) website at least 35 days prior to the first evidentiary hearing.

Based on the findings above, the Comprehensive Plan Amendment is consistent with Title 8.

III. RECOMMENDATION

Based on the findings in this report, staff recommends approval of files GLUA 21-00057 and LEG 21-00004. If the Planning Commission recommends approval to the City Commission, the recommendation will be accompanied by Ordinance 21-1014.

IV. EXHIBITS

- 1a. Draft Housing Needs Analysis, dated August 30, 2021
- 1b. Application Materials
2. Public Comments
3. 2002 Housing Resource Document for the City of Oregon City Comprehensive Plan



LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A) ☐ Compatibility Review ☐ WRG ☐ Comm. Fac ☐ Lot Line Adjustment ☐ Non-Conforming Use Review ☐ Natural Resource (NROD) ☐ Verification ☐ Minor Site Plan & Design Review ☐ Extension of Approval ☐ Historic Review – Remodel ☐ Detailed Dev. Plan (DDP)	Type II (OCMC 17.50.030.B) ☐ Master Plan / PUD / GDP or Amendment ☐ Detailed Development Plan (DDP) ☐ Floodplain Review ☐ Geologic Hazard Overlay ☐ Minor Partition (<4 lots) ☐ Minor Site Plan & Design Review ☐ Non-Conforming Use Review ☐ Site Plan and Design Review / DDP ☐ Subdivision (4+ lots) ☐ Minor Variance ☐ Natural Resource (NROD) Review ☐ Public Improvement Modification ☐ Willamette Greenway ELD Process (OCMC 17.50.030.E) ☐ Expedited Land Division	Type III / IV (OCMC 17.50.030.C & D.) ☐ Annexation ☐ Code Interpretation / Similar Use ☐ Master Plan / PUD / GDP Amendment ☐ Conditional Use ☐ Comprehensive Plan / Legislative Amendment (Code /Map) ☐ Detailed Development Plan DDP ☐ Historic Review ☐ Municipal Code Amendment ☐ Parking Adjustment ☐ Variance ☐ Sign Variance ☐ Natural Resource (NROD) Review ☐ Zone Change (Text/Map) ☐ Willamette Greenway Legislative Action (OCMC 17.50.170) ☒ Legislative
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File Number(s):	Application Date:
Project Name: Oregon City Housing Needs Analysis	
Proposed Land Use or Activity: Adoption of a Housing Needs Analysis	# of Lots Proposed (If Applicable): N/A
Physical Address(es) of Site: citywide	
Clackamas County Map and Tax Lot Number(s): N/A	

Applicant(s)

Applicant(s) Signature:		
Applicant(s) Name Printed: City of Oregon City		Date:
Mailing Address: PO Box 3040, Oregon City, Oregon 97045		
Phone:	Fax:	Email:

Property Owner(s) – See reverse for more than two Owners

Property Owner #1 Same as Above

Property Owner#1 Signature: <i>A. Konkol</i>		
Property Owner#1 Name Printed: A. Konkol		Date: 9-16-21
Mailing Address: 625 Center St		
Ownership Address:		
Phone: 503 657 0891	Fax:	Email:

Property Owner #2

Property Owner#2 Signature:		
Property Owner#2 Name Printed:		Date:
Mailing Address:		
Ownership Address:		
Phone:	Fax:	Email:

Representative(s)

Representative(s) Signature:		
Representative(s) Name Printed:		Date:
Mailing Address:		
Phone:	Fax:	Email:

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

LEGISLATIVE APPLICATION FOR HOUSING NEEDS ANALYSIS UPDATED 2021

I. BACKGROUND:

Do we have enough opportunities to accommodate our future housing needs?

The enclosed Housing Needs Analysis (HNA) includes housing data and forecasts on demographic and socioeconomic trends to understand how much housing will be need in the future and if we have enough available land to accommodate the community's needs. This technical analysis will help the community understand whether Oregon City has enough land to accommodate growth over the next 20 years and if any housing policy changes are needed.

The housing forecast will repeal and replace the Housing Technical Report (2002) which was adopted in 2004 as an ancillary document to the Comprehensive Plan.

The *Oregon City 2021-2041 Housing Needs Analysis* presents a forecast of future housing growth in Oregon City for the 2021-2041 period. It includes an inventory of buildable residential land within Oregon City and in areas of future expansion for the city (only including areas within the Metro urban growth boundary). The *Housing Needs Analysis* presents information about residential development trends and housing affordability within Oregon City.¹ It provides a foundation for future housing policy decisions.

How will the information be Used?

The City anticipates using the study to inform housing policies and actions in the upcoming Comprehensive Plan Update process (OC 2040). OC 2040 will develop policies to respond to the unmet housing needs identified in the *Housing Needs Analysis*, which are primarily around need for affordable housing and meeting a small deficit (8 acres) of land in the High Density plan designation. In short, the *Housing Needs Analysis* provides the factual basis for understanding housing needs in Oregon City and the OC 2040 project will include development of polices to address these housing needs.

II. DECISION-MAKING CRITERIA

The remainder of this staff report provides additional findings to demonstrate that the proposed annexation code amendments are consistent with applicable approval criteria.

Chapter 17.68 - Zoning Changes and Comprehensive Plan Amendments

17.68.010 - Initiation of the amendment.

A text amendment to the comprehensive plan, or an amendment to the zoning code or map or the Comprehensive Plan map, may be initiated by:

- A. A resolution request by the City Commission;*
- B. An official proposal by the Planning Commission;*
- C. An application to the Planning Division; or.*
- D. A Legislative request by the Planning Division.*

All requests for amendment or change in this title shall be referred to the Planning Commission.

¹ The UGB areas include the buildable lands inventory and forecasted household growth in TAZs 726, 733, and 740.

Finding: The proposal qualifies as initiated as a legislative request by the Planning Division at the direction of the City Commission.

17.68.015 –Procedures.

Applications shall be reviewed pursuant to the procedures set forth in Chapter 17.50.

17.50.170 - Legislative hearing process.

A. Purpose. Legislative actions involve the adoption or amendment of the city's land use regulations, comprehensive plan, maps, inventories and other policy documents that affect the entire city or large portions of it. Legislative actions which affect land use shall begin with a public hearing before the planning commission.

B. Planning Commission Review.

1. Hearing Required. The planning commission shall hold at least one public hearing before recommending action on a legislative proposal. Any interested person may appear and provide written or oral testimony on the proposal at or prior to the hearing. The community development director shall notify the Oregon Department of Land Conservation and Development (DLCD) as required by the post-acknowledgment procedures of ORS 197.610 to 197.625, as applicable.

C. City Commission Review.

1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.

2. Notice of Final Decision. Not later than five days following the city commission final decision, the community development director shall mail notice of the decision to DLCD in accordance with ORS 197.615(2).

Finding: This legislative action will follow the procedures found in OCMC 17.50.170 including meetings with the Citizen Involvement Committee, Planning Commission, and City Commission.

17.68.020 - Criteria.

The criteria for comprehensive plan amendment or text or map amendment in the zoning code are set forth as follows:

A. The proposal shall be consistent with the applicable goals and policies of the comprehensive plan;

Finding: This legislative action is consistent with the applicable goals and policies of the comprehensive plan as detailed in the responses below. Therefore, the proposed amendments are consistent with Criterion (A).

Conformity of the proposal with the city's comprehensive plan;

Goal 1: Citizen Involvement

Goal 1.1 – Citizen Involvement Program

Policy 1.1.1 *Utilize neighborhood associations as the vehicle for neighborhood-based input to meet the requirements of the Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement. The Citizen Involvement Committee (CIC) shall serve as the officially recognized citizen committee needed to meet LCDC Statewide Planning Goal 1.*

Finding: Neighborhood Associations were sent an invitation to comment on the draft HNA as well as an excerpt of the vacant and partially vacant unconstrained map for land within their neighborhood association boundaries for comment on September 15th. In addition, the Citizen Involvement Committee will be provided a presentation at their October 4th meeting.

Goal 1.2 *Community and Comprehensive Planning Ensure that citizens, neighborhood groups, and affected property owners are involved in all phases of the comprehensive planning program.*

Finding: The City of Oregon City held public meetings presenting the results of the *Housing Needs Analysis* report on July 28, 2021, with the OC 2040 Project Advisory Team (PAT) , and on September 7, 2021, with the Oregon City Planning Commission and City Commission. Both meetings provided opportunity to learn about the analysis, ask questions, and provide input into the outcomes of the analysis. A project website was established and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15th. Notice of the application was provided in the October citywide utility bill.

Policy 1.2.1 *Encourage citizens to participate in appropriate government functions and land-use planning.*

Finding: The City of Oregon City held public meetings presenting the results of the *Housing Needs Analysis* report on July 28, 2021, with the OC 2040 Project Advisory Team (PAT) , and on September 7, 2021, with the Oregon City Planning Commission and City Commission. Both meetings provided opportunity to learn about the analysis, ask questions, and provide input into the outcomes of the analysis. A project website was established and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15th. Notice of the application was provided in the October citywide utility bill.

Goal 1.4 – Community Involvement

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

Finding: The City of Oregon City held public meetings presenting the results of the *Housing Needs Analysis* report on July 28, 2021, with the OC 2040 Project Advisory Team (PAT), and on September 7, 2021, with the Oregon City Planning Commission and City Commission. Both meetings provided opportunity to learn about the analysis, ask questions, and provide input into the outcomes of the analysis. The draft *Housing Needs Analysis* was made available on the OC 2040 PAT web page and again in the joint Oregon City Planning Commission and City Commission packet. A project website was established and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15th. Notice of the application was provided in the October citywide utility bill.

Policy 1.4.1 *Notify citizens about community involvement opportunities when they occur.*

Finding: Opportunities to become involved in the PAT meeting was noticed a week in advance of the meeting and the joint Oregon City Planning Commission and City Commission was also noticed. A project website was established and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15th. Notice of the application was provided in the October citywide utility bill.

Comprehensive Plan Section 2 Land Use

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.

Finding: The *Housing Needs Analysis* developed an inventory of buildable land where housing is allowed with clear and objective standards. The inventory included all land in residential plan designations, as well as land in the Mixed Use Corridor, Mixed Use Downtown, and General Commercial designations. The inventory identified vacant and partially vacant land, excluding land with development constraints that prohibit development. These development constraints included: land within floodplains and flood ways, land within natural resource protection areas, land with slopes over 25%, and land in geologic hazards.

The *Housing Needs Analysis* forecast the future of Oregon City's housing mix in accordance with the requirements of OAR 660-007-0030 (1), which says that Oregon City must "...provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing..." The *Housing Needs Analysis* assumes that 50% of new housing in Oregon City will be single-family detached, 20% will be single-family attached, 10% will be duplex/triplex/quadplex, and 20% will be multifamily with 5 or more units per structure. In 2015-2019, 73% of Oregon City's housing was single-family detached, 7% was single-family attached, 6% was duplex/triplex/quadplex, and 13% was multifamily with 5 or more units per structure

The *Housing Needs Analysis* analyzed development densities for development occurring over the 2000 to 2020 period. The *Housing Needs Analysis* analyzed assumed new development would occur at the same densities as it had in the past, with an increase of 3% in densities in residential plan designations to account for implementation of House Bill 2001, as allowed by ORS 197.296 (6) (b). The overall average density for development that occurred between 2000 and 2020 was 6.6 dwelling units per acre. Given the existing base of buildable residential land in Oregon City and the assumptions above about housing mix and density, the *Housing Needs Analysis* shows that Oregon City is planning for an overall average of 9.5 dwelling units per net acre.

Through these measures residential land is used efficiently and developed sustainably.

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.

Finding: The *Housing Needs Analysis* builds from existing master plans, such as the Park Place, Thimble Creek, and South End master plans. These plans determined the facilities, connectivity, land uses, and

commercial centers in Oregon City. The *Housing Needs Analysis* uses densities from historical development and the densities currently allowed within these master plans and the City's Comprehensive Plan and zoning code.

The *Housing Needs Analysis* accounts for environmental constraints, which reduce the amount of buildable land. These constraints include Goal 5 Natural Resources Constraints (such as regulated wetlands, natural resources overlay district, and landslide hazards) and Natural Hazard Constraints (such as floodways, 100-year floodplain, and steep slopes).

This criterion is met through use of historical development policies, current densities allowed within the master plans and the City's Comprehensive Plan and zoning code, and with exclusion of environmental constraints from the inventory of buildable land. The HNA will not result in any change to the development code or automatic zoning changes.

Goal 2.5 Retail and Neighborhood Commercial

Policy 2.5.4 *Encourage the development of successful commercial areas organized as centers surrounded by higher density housing and office uses, rather than as commercial strips adjacent to low-density housing.*

Finding: The *Housing Needs Analysis* assumes that residential development will occur on 70% of vacant unconstrained buildable land in the Mixed Use Plan Designation at a density of 19.8 dwelling unit per net acre, consistent with historical development densities in Mixed Use over the 2000 to 2020 period. The *Housing Needs Analysis* assumes that Mixed Use areas will develop with a mixture of residential and commercial uses, both in vertical mixed use buildings and as a mixed use district.

Goal 2.7 Oregon City Comprehensive Plan Land-Use Map

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

Finding: The *Housing Needs Analysis* uses information about housing mix and density based both on historical development patterns for the 2000 to 2020 period and the uses currently allowed in the *Oregon City Comprehensive Plan*. The buildable lands inventory identifies vacant, unconstrained buildable land based on the *Oregon City Comprehensive Plan Land-Use Map*.

Policy 2.7.1 *Maintain a sufficient land supply within the city limits and the Urban Growth Boundary to meet local, regional, and state requirements for accommodating growth.*

Finding: The *Housing Needs Analysis* finds that Oregon City² has sufficient residential capacity vacant, unconstrained buildable land in the following designations: Low Density Residential, Medium Density Residential, and Mixed Use. The *Housing Needs Analysis* finds that Oregon City has a deficit for about 169 dwelling units or 8 acres of land in the High Density Residential designation.

The *Housing Needs Analysis* recommends that Oregon City monitor land available in all plan designation and may look for opportunities for redevelopment on underutilized land to address the minor deficit of

² Oregon City includes land within the city limits and UGB areas adjacent to Oregon City that are expected to annex into Oregon City in the future. The UGB areas include the buildable lands inventory and forecasted household growth in TAZs 726, 733, and 740.

high density residential land. Through the OC 2040 project, the City will identify opportunities to meet the identified land deficit in the High Density Residential designation.

Goal 3: Agricultural Lands

Finding: Goal 3 is not applicable.

Goal 4: Forest Lands

Finding: Goal 4 is not applicable.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Finding: Goal 5 requires the City to inventory, protect and conserve natural, scenic and historic resources within the City. The buildable land inventory conducted as part of the *Housing Needs Analysis* addresses areas that the City has identified as natural resources through its Goal 5 inventory, regional inventories of natural resources, and associated development code requirements intended to protect, conserve or minimize impacts to these resources. The BLI identifies these areas as “constrained” consistent with City development code standards and policies and assumes no for future housing in these areas. Through this analysis process and continued implementation of the City’s policies and standards associated with natural resource protection, City staff find the requirements of Goal 5 have been met.

Goal 6: Quality of Air, Water, and Land Resources

Finding: Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations. By complying with applicable air, water and land resource quality policies in the Oregon City Comprehensive Plan, City staff find the requirements of Goal 6 have been properly addressed.

Goal 7: Natural Hazards

Finding: Goal 7 requires that jurisdictions apply appropriate safeguards when planning development in areas that are subject to natural hazards such as flood hazards.

The identified natural hazards in Oregon City are flooding and landslide hazards. Land within the floodway is considered unsuitable for urban development. The alternatives analysis considered lands within the 100-year floodplain, steep slopes, and areas with landslide hazards to be unbuildable and excluded from the inventory of vacant, unconstrained buildable land. The requirements of Goal 7 have been properly addressed.

Goal 8: Parks and Recreation

Finding: Goal 8 is not applicable.

Goal 9: Economic Development

Finding: Goal 9 is not applicable.

Goal 10: Housing

Policy 10.1.1 Maintain the existing residential housing stock in established older neighborhoods by maintaining existing Comprehensive Plan and zoning designations where appropriate.

Finding: The *Housing Needs Analysis* assumes that vacant, unconstrained buildable land in existing residential Comprehensive Plan Designations will develop at densities consistent with historical development in each designation and the densities currently allowed within these master plans and the City's Comprehensive Plan and zoning code. The *Housing Needs Analysis* does not pose changes to the existing Comprehensive Plan or zoning maps. This criterion is met.

Policy 10.1.3 *Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development.*

Finding: The Oregon City *Comprehensive Plan Land-Use Map* has designated land for a balanced variety of densities and housing types. No changes to the map are proposed. This criterion is met.

Policy 10.1.4 *Aim to reduce the isolation of income groups within communities by encouraging diversity in housing types within neighborhoods consistent with the Clackamas County Consolidated Plan, while ensuring that needed affordable housing is provided.*

Finding: The *Housing Needs Analysis* forecasts increases in housing diversity of housing types in Oregon City as follows: 50% of new housing will be single-family detached (compared with 73% of existing housing stock); 20% of new housing will be single-family attached (compared with 7% of existing housing stock); 10% of new housing will be duplex/triplex/quadplex (compared with 6% of existing housing stock); and 20% of new housing will be multifamily with five or more units per structure (compared with 13% of existing housing stock).

The *Housing Needs Analysis* finds that Oregon City has unmet need for affordable housing. About 34% of households in Oregon City are cost burdened (i.e., spending 30% or more of their income on housing costs), with 50% of renter households cost burdened. As the City grows through 2041, the need for affordable housing will grow with population, with about 26% of new households needing housing affordable to households earning less than 50% of Clackamas County's Median Family Income (\$46,000) and 21% of new households needing housing affordable to households earning between 50% and 80% of Clackamas County's Median Family Income (\$46,000 to \$74,000).

The lack of affordability will continue to be a problem, possibly growing in the future if incomes continue to grow at a slower rate than housing costs. The *Housing Needs Analysis* recommends that Oregon City should provide opportunities for affordable housing development for both rental and ownership over the 20-year period, and the City should look for opportunities for affordable housing development for all housing types.

Through the OC 2040 project, Oregon City will develop policies to respond to the unmet need for affordable housing to respond to the needs identified in the *Housing Needs Analysis*. This criterion is met.

Goal 10.2 *Supply of Affordable Housing Provide and maintain an adequate supply of affordable housing.*

Finding: The *Housing Needs Analysis* identifies need for additional affordable housing and recommends the City should develop policies to support production of affordable housing. Through the OC 2040 project, Oregon City will develop policies to respond to the unmet need for affordable housing to respond to the needs identified in the *Housing Needs Analysis*.

Policy 10.2.1 Retain affordable housing potential by evaluating and restricting the loss of land reserved or committed to residential use. When considering amendments to the Comprehensive Plan Land-Use Map, ensure that potential loss of affordable housing is replaced.

Finding: The *Housing Needs Analysis* does not propose actions that will result in loss of land for residential uses or changes to the *Comprehensive Plan Land-Use Map*. This criterion is not applicable.

Goal 11: Public Facilities

Finding: Goal 11 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 12: Transportation

Finding: Goal 12 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 13 – Energy

Finding: Goal 13 is not applicable.

Section 14 Urbanization

Finding: Goal 14 is not applicable as no change is proposed to the Metro Urban Growth Boundary.

Goal 14.1 Urban Growth Boundary Establish, and amend when appropriate, the Urban Growth Boundary in the unincorporated area around the city that contains sufficient land to accommodate growth during the planning period for a full range of city land uses, including residential, commercial, industrial, and institutional.

Policy 14.1.1 The Urban Growth Boundary shall conform to Title 11 of the Code of the Metropolitan Service District and will provide sufficient land to accommodate 20-year urban land needs, resulting in efficient urban growth and a distinction between urban uses and surrounding rural lands, and promoting appropriate infill and redevelopment in the city

Section 15 Willamette River Greenway

Finding: Goal 15 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Statewide Planning Goals

Goal 1 Citizen Involvement

Finding: Goal 1 calls for the opportunity for citizens to be involved in all phases of the planning process. The public was provided the opportunity to be involved in the decision-making process regarding the *Housing Needs Analysis* through public meetings (in-person and by video conference), including: (1) the OC 2040 Project Advisory Team (PAT) on July 28, 2021 and (2) a joint work session with the Oregon City Planning Commission and City Commission September 7, 2021. Notice of the project was sent to the neighborhood associations, Citizen Involvement Committee, and the Development Stakeholders Group. The Citizen Involvement Committee will hear a presentation on October 4th.

A project website was established and emailed notice of the draft HNA was sent to the Development Stakeholders Group, neighborhood associations, and Citizen Involvement Committee on September 15th. Notice of the application was provided in the October citywide utility bill.

Goal 2 Land Use Planning

Finding: Goal 2 outlines the basic procedures of Oregon’s statewide planning program, stating that land use decisions must be made in accordance with comprehensive plans and that effective implementation ordinances must be adopted.

In the process of developing the housing needs analysis, the City inventoried existing residential land uses, projected suitable land needs by land use classifications, and compared these needs with buildable land within Oregon City. The *Housing Needs Analysis* finds that Oregon City has sufficient residential capacity vacant, unconstrained buildable land in the following designations: Low Density Residential, Medium Density Residential, and Mixed Use. The *Housing Needs Analysis* finds that Oregon City has a deficit for about 169 dwelling units or 8 acres of land in the High Density Residential designation. The requirements of Goal 2 are met.

Goal 3: Agricultural Lands

Finding: Goal 3 is not applicable.

Goal 4: Forest Lands

Finding: Goal 4 is not applicable.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Finding: Goal 5 requires the City to inventory, protect and conserve natural, scenic and historic resources within the City. The buildable land inventory conducted as part of the *Housing Needs Analysis* addresses areas that the City has identified as natural resources through its Goal 5 inventory, regional inventories of natural resources, and associated development code requirements intended to protect, conserve or minimize impacts to these resources. The BLI identifies these areas as “constrained” consistent with City development code standards and policies and assumes no for future housing in these areas. Through this analysis process and continued implementation of the City’s policies and standards associated with natural resource protection, the requirements of Goal 5 have been met.

Goal 6: Quality of Air, Water, and Land Resources

Finding: Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations. By complying with applicable air, water and land resource quality policies in the Oregon City Comprehensive Plan, the requirements of Goal 6 have been properly addressed.

Goal 7: Natural Hazards

Finding: Goal 7 requires that jurisdictions apply appropriate safeguards when planning development in areas that are subject to natural hazards such as flood hazards.

The identified natural hazards in Oregon City are flooding and landslide hazards. Land within the floodway is considered unsuitable for urban development. The alternatives analysis considered lands within the 100-year floodplain, steep slopes, and areas with landslide hazards to be unbuildable and excluded from the inventory of vacant, unconstrained buildable land. The requirements of Goal 7 have been properly addressed.

Goal 8 Recreational Needs

Finding: Goal 8 is not applicable.

Goal 9 Economic Development

Finding: Goal 9 is not applicable.

Goal 10 Housing

Finding: Goal 10 requires the City to maintain and plan for an adequate supply of land to accommodate 20 years of future growth, providing flexibility in housing location, type, and density to ensure the availability and prices of housing units are commensurate with the needs and financial capabilities of Oregon households. Comprehensive plans are required to include an analysis of local housing needs by type and affordability, an assessment of housing development potential, and an inventory of residential land; contain policies for residential development and supportive services based on that analysis that increase the likelihood that needed housing types will be developed; and provide for an adequate supply of a variety of housing types consistent with identified policies and meeting minimum density and housing mix requirements (established by OAR 660, Division 007).

The *Housing Needs Analysis*, which is proposed to be adopted as an ancillary document to the Comprehensive Plan, provides information about the factors that could affect housing development, including demographics, affordability trends, workforce housing availability, market health, and regulatory structure. The *Housing Needs Analysis* includes the City's buildable lands inventory for residential within Oregon City and UGB areas outside of the city limits but within the UGB.³

The *Housing Needs Analysis* finds that Oregon City has sufficient residential capacity vacant, unconstrained buildable land in the following designations: Low Density Residential, Medium Density Residential, and Mixed Use. The *Housing Needs Analysis* finds that Oregon City has a deficit for about 169 dwelling units or 8 acres of land in the High Density Residential designation.

The *Housing Needs Analysis* is intended to identify unmet housing needs. Future policy work, in the OC 2040 project, will identify remedies to the unmet housing needs. The *Housing Needs Analysis* recommends that Oregon City monitor land available in all plan designation and may look for opportunities for redevelopment on underutilized land to address the minor deficit of high density residential land. Through the OC 2040 project, Oregon City will develop policies to respond to the unmet need for affordable housing to respond to the needs identified in the *Housing Needs Analysis* and the identified land deficit in the High Density Residential designation.

The proposed HNA will repeal and replace the 2002 housing analysis which was adopted in 2004 as an ancillary document to the Comprehensive Plan. This criterion is met.

Consistency with the Metropolitan Planning Rule

Cities within the Portland Metropolitan region must comply with two requirements related to the capacity of buildable land. Both requirements are found in Oregon Administrative Rule (OAR) 660-007. The two rules state that:

³ The UGB areas include the forecasted household growth in TAZs 726, 733, and 740.

- *Jurisdictions other than small developed cities must either designate sufficient buildable land to provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing or justify an alternative percentage based on changing circumstances. (OAR 660-007-0030 (1))*
- *Clackamas and Washington Counties, and the cities of Forest Grove, Gladstone, Milwaukie, Oregon City, Troutdale, Tualatin, West Linn and Wilsonville must provide for an overall density of eight or more dwelling units per net buildable acre. (OAR 660-007-0035 (2))*

Oregon City is in compliance with both these requirements.

- The *Housing Needs Analysis* forecasts increases in housing diversity of housing types in Oregon City as follows: 50% of new housing will be single-family detached (compared with 73% of existing housing stock); 20% of new housing will be single-family attached (compared with 7% of existing housing stock); 10% of new housing will be duplex/triplex/quadplex (compared with 6% of existing housing stock); and 20% of new housing will be multifamily with five or more units per structure (compared with 13% of existing housing stock).
- The *Housing Needs Analysis* shows that Oregon City is planning for an overall average of 9.5 dwelling units per net acre, as a result of the existing base of buildable residential land in Oregon City and the assumptions above about housing mix and density.

This criterion is met.

Goal 11 Public Facilities and Services

Finding: Goal 11 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 12 Transportation

Finding: Goal 12 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 13 Energy Conservation

Finding: Goal 13 is not applicable.

Goal 14 Urbanization

Finding: Goal 14 is not applicable as no change is proposed to the Metro Urban Growth Boundary, which Oregon City is within.

Goal 15 Willamette River Greenway

Finding: Goal 15 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map and future development densities are consistent with historical or currently allowed development densities.

Goal 16 Estuarine Resources

Finding: Goal 16 is not applicable.

Goal 17 Coastal Shorelands

Finding: Goal 17 is not applicable.

Goal 18 Beaches and Dunes

Finding: Goal 18 is not applicable.

Goal 19 Ocean Resources

Finding: Goal 19 is not applicable.

Chapter 17.50 Administration and Procedures**17.50.050 – Pre-application conference.**

- A. *Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal.*
- 1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*
 - 2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
 - 3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*
- B. *A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.*
- C. *Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.*

Finding: The proposed Legislative application held a pre-application conference (PA 21-36) on September 1st including discussion of the review process and applicable criteria.

17.50.055 - Neighborhood association meeting.

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

- A. *Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*
- B. *The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.*
- C. *A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.*
- D. *If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.*
- E. *To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

Finding: The criterion is not applicable to the Legislative application proposed, however, the Citizen Involvement Committee will hear a presentation of the Housing Needs Analysis on October 4th.

Metro Requirements

The Metro UGMFP provides tools to meet regional goals and objectives adopted by Metro Council, including the 2040 Growth Concept and the Regional Framework Plan. Under the Metro Charter, the City of Oregon City's Comprehensive Plan and implementing ordinances are required to comply and be consistent with the UGMFP. The UGMFP consists of 11 code titles with policies and compliance procedures for the following topics:

- Title 1: Housing Capacity
- Title 3: Water Quality and Flood Management (not applicable)
- Title 4: Industrial and Other Employment Areas (not applicable)
- Title 6: Centers, Corridors, Station Communities and Main Streets (not applicable)
- Title 7: Housing Choice
- Title 8: Compliance Procedures
- Title 10: Definitions (not applicable)
- Title 11: Planning for New Urban Areas (not applicable)

- Title 12: Protection of Residential Neighborhoods (not applicable)
- Title 13: Nature in Neighborhoods (not applicable)
- Title 14: Urban Growth Boundary (not applicable)

Metro requires “substantial compliance” with requirements in the UGMFP. Per the definition in Title 10, “substantial compliance” means that the City’s Comprehensive Plan conforms with the purposes of the performance standards in the functional plan “on the whole.” Any failure to meet individual performance standard requirements is considered technical or minor in nature.

The findings below address applicable Titles of the UGMFP. Based on the findings described below, the proposed Comprehensive Plan Amendment substantially complies with all applicable titles of the UGMFP.

Title 1: Housing Capacity

Finding: Title 1 of the UGMFP is intended to promote efficient land use within the Metro urban growth boundary (UGB) by increasing the capacity to accommodate housing. Title 1 requires the City to adopt minimum residential development density standards by March 2011. If the City did not adopt a minimum density by March 2011, the City must adopt a minimum density that is at least 80 percent of the maximum density. Title 1 also provides measures to decrease development capacity in selected areas by transferring the capacity to other areas of the community. This may be approved as long as the community’s overall capacity is not reduced.

Oregon City has established minimum densities in its Zoning Code (Title 17: Zoning of the Oregon City Municipal Code) for each residential base zone. These minimum and maximum densities comply with Title 1 for all zones where residential dwelling units are authorized.

The *Housing Needs Analysis* replaces the existing factual basis in the Oregon City Comprehensive Plan and does not reduce densities or make any changes to land use designations or zoning. The *Housing Needs Analysis* assumes increases in housing diversity, with an increase in the share of new housing that will be attached or multifamily housing types. The *Housing Needs Analysis* assumes no decrease in densities and an overall increase in average density resulting from the increase in future share of attached and multifamily housing types. Further, Metro’s 2019 Compliance Report (the most recent report available) concludes that Oregon City is in compliance for the City’s Title 1 responsibilities.

Based on the findings above, the *Housing Needs Analysis* is consistent with Title 1.

Title 7: Housing Choice

Finding: Title 7 of Metro’s Urban Growth Management Functional Plan is designed to ensure the production of affordable housing in the Metro UGB. Each city and county within the Metro region is encouraged to voluntarily adopt an affordable housing production goal. Each jurisdiction within the Metro region is required to ensure that their comprehensive plans and implementing ordinances include strategies to:

- Ensure the production of a diverse range of housing types;
- Maintain the existing supply of affordable housing, increase opportunities for new affordable housing dispersed throughout their boundaries; and

- Increase opportunities for households of all income levels to live in affordable housing (3.07.730).

The *Housing Needs Analysis* assumes that diversity of housing types will increase in Oregon City. The *Housing Needs Analysis* shows that Oregon City has sufficient residential capacity vacant, unconstrained buildable land in the following designations: Low Density Residential, Medium Density Residential, and Mixed Use. The *Housing Needs Analysis* finds that Oregon City has a deficit for about 169 dwelling units or 8 acres of land in the High Density Residential designation. The *Housing Needs Analysis* recommends that Oregon City monitor land available in all plan designation and may look for opportunities for redevelopment on underutilized land to address the minor deficit of high density residential land.

The *Housing Needs Analysis* finds that Oregon City has unmet need for affordable housing. About 34% of households in Oregon City are cost burdened (i.e., spending 30% or more of their income on housing costs), with 50% of renter households cost burdened. As the City grows through 2041, the need for affordable housing will grow with population, with about 26% of new households needing housing affordable to households earning less than 50% of Clackamas County's Median Family Income (\$46,000) and 21% of new households needing housing affordable to households earning between 50% and 80% of Clackamas County's Median Family Income (\$46,000 to \$74,000).

The *Housing Needs Analysis* is intended to identify unmet housing needs. Future policy work, in the OC 2040 project, will identify remedies to the unmet housing needs. The *Housing Needs Analysis* recommends that Oregon City should provide opportunities for affordable housing development for both rental and ownership over the 20-year period, and the City should look for opportunities for affordable housing development for all housing types. Through the OC 2040 project, Oregon City will develop policies to respond to the unmet need for affordable housing. In addition, Metro's 2019 *Compliance Report* concludes that Oregon City is in compliance for the City's Title 7 responsibilities.

Based on the findings above, the *Housing Needs Analysis* is consistent with Title 7.

Title 8: Compliance Procedures

Finding: Title 8 establishes a process for ensuring compliance with requirements of the UGMFP. An amendment to the City comprehensive plan or land use regulations is deemed to comply with the UGMFP only if the City provided notice to Metro as required by section 3.07.820(a). The City of Oregon City will provide Metro with a copy of the draft *Housing Needs Analysis* via Oregon Department of Land Conservation and Development's Plan Amendments (PAPA) website at least 35 days prior to the first evidentiary hearing.

Based on the findings above, the Comprehensive Plan Amendment is consistent with Title 8.

Date/Name	Issue/Comment/Concern	Has this been addressed? How?
10/24/2021 Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO)	Support for the proposal and thorough report containing detailed Goal 10 findings.	N/A
9/16/21 Amy Wilhite	Concern about properties ability to develop on the north side of Caulfield Road with a powerline easement as well as a question about how the study will be adjusted as the process progresses.	The powerlines were not included in the model assumptions of constraints, but the process included staff review of the model output and now the community as well to make sure the output looks right. A map showing the high voltage lines as a reference in the area did not include unreasonable assumptions of additional development in the powerlines except for the one lot which may have a challenge partitioning an additional lot. The powerlines also affected the land in the South End Concept Plan but the density assumptions resulting from the study were reasonable and similar to those anticipated in the South End Concept Plan. The purpose of the buildable lands inventory is to provide an estimate of potential capacity for accommodating new housing under current zoning and within the context of development trends over the last 10+ years. This is not an estimate of maximum capacity but capacity for development of new housing given the types of development that Oregon City has seen in the recent past and within current city policies. While the buildable lands inventory was completed on a lot-by-lot basis, the amount and type of development the City is likely to see is meant to be a city-wide estimate. The map will be reassessed after we receive more public input to determine if the Buildable Lands Inventory (BLI) needs to be recalculated. At this time staff does not recommend recalculating the BLI.
10/5/21 Mike Roberts	Identification that the proposal does not conflict with Building Department interests.	N/A



October 24, 2021

Oregon City Planning Commission
625 Center Street
Oregon City, OR 97045

RE: GLUA 21-00057 and LEG 21-00004

Amend the Oregon City Comprehensive Plan by repealing a 2002 housing study and adopting a 2021 Housing Needs Analysis as an ancillary document.

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians.

Both HLA and FHCO support GLUA 21-00057 and LEG 21-00004, and commend the staff for their thorough report containing detailed Goal 10 findings. This staff report will be used as a positive example to assist other cities and jurisdictions. Good luck with the continuation of this project!

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Allan Lazo".

Allan Lazo
Executive Director
Fair Housing Council of Oregon

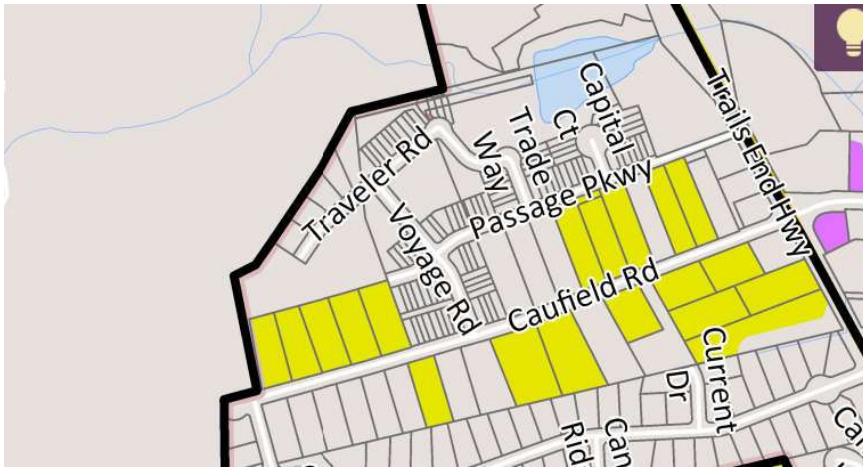
Cc: Gordon Howard, DLCD

Laura Terway

From: Laura Terway
Sent: Friday, September 24, 2021 4:01 PM
To: Amy
Subject: RE: Draft Oregon City Housing Needs Analysis
Attachments: Standard%20-%208.5x11%20Landscape[2].pdf

Amy,

Thanks for your question about the powerlines, it was a good one! The powerlines were not included in the model assumptions of constraints, but the process included staff reviewing the model output and now the community as well to make sure the output looks right. I have included a map showing the high voltage lines as a reference. For your neighborhood association, there were no unreasonable assumptions of additional development in the powerlines except for the lot at the very end of Caufield Road (furthest from the HWY 213) which I will communicate to the consultant with. In addition we will look at a few of the lots at the end of South End Road a little closer too. Thanks again!



From: Amy <awillhit@yahoo.com>
Sent: Friday, September 17, 2021 11:55 AM
To: Laura Terway <lterway@orccity.org>
Subject: Re: Draft Oregon City Housing Needs Analysis

Sounds great! Thanks for all you do.

Amy

On Friday, September 17, 2021, 9:43 AM, Laura Terway <lterway@orccity.org> wrote:

Amy,

Thanks for taking a look at the map! I have already starting looking into the matter and will get back to you next week.

The map will be revised after we receive more public input. The intention is to make all the map changes at once and recalculate the results at that time. We will generally know if the comments are significant enough to alter the results in advance. Thanks again and have a great weekend!

Laura Terway, AICP

Community Development Director

City of Oregon City

503.496.1553

From: Amy <awillhit@yahoo.com>
Sent: Thursday, September 16, 2021 1:30 PM
To: Laura Terway <lterway@orccity.org>
Subject: Re: Draft Oregon City Housing Needs Analysis

Hi Laura,

One thing I noticed from the map is that the big power lines run through many of the properties on the North side of Caufield Rd, so I don't believe they could be divided in to buildable lots. I dont remember if that was addressed at the Sept 7 meeting when I watched it. Are there other lots highlighted here that might not be buildable? If so, will those be looked at and the map adjusted as we move forward?

Thanks and Happy Thursday,

Amy

On Thursday, September 16, 2021, 11:47 AM, Laura Terway <lterway@orccity.org> wrote:

Good Afternoon Gaffney Lane Neighborhood Association,

Do we have enough opportunities to accommodate our future housing needs?

The City is working on a Housing Needs Analysis (HNA) which includes maps, housing data, and forecasts on demographic and socioeconomic trends to understand how much housing will be need in the future. This technical analysis will help us understand whether Oregon City has enough land to accommodate growth over the next 20 years and if any housing policy changes are needed.

A draft study found that Oregon City should plan for growth of 7,435 new dwelling units over the next 20 years. Much of the growth in housing will be driven by growth in households. The City will meet Metro's requirements for net density and housing mix, but has a slight shortage of land for high-density housing and an unmet need for affordable housing.

The HNA includes a map identifying land with minimal constraints, such as vacant or a portion of the land is vacant and could be residential use, if the property owner chooses to do so. The map is a tool to visualize and identify an approximation of future housing opportunities. The draft map for the land within your neighborhood association may be found [here](#).

You are invited to:

- Watch a presentation on the draft Housing Needs Analysis at the September 7, 2021 City Commission/Planning Commission Work Session [here](#) (starts about 14 minutes into video).
- Join or watch the presentation to the Citizen Involvement Committee 7 p.m., October 4, 2021. Details about the meeting will be posted a week in advance [here](#).
- Send your comments to me at terway@orc.org or chat more about the project by calling 503.496.1553.

The Planning Commission and City Commission will review the proposed Housing Needs Analysis prior to adoption. Please do not hesitate to reach out with any questions or concerns. Find more information on the project page [here](#).



What's your Vision for Oregon City?

Laura Terway, AICP

Community Development Director - Planning & Building Departments

She/Her/Hers

695 Warner Parrott Road (PO Box 3040), Oregon City, Oregon 97045
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www.oregoncity.org | webmaps.oregoncity.org | www.rediscoverthefalls.com

Think **GREEN** before you print.

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COVID-19 (Coronavirus) Information

**LAND USE APPLICATION TRANSMITTAL – RESPONSE FORM**Date: 10/5/21Land Use Application File Number: GLUA-21-00057 & LEG-21-00004NAME: Michael G. RobertsAGENCY: City of Oregon CityEMAIL ADDRESS: mroberts@orcitey.org

The land use application material is referred to you for your information, study and official comments. 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 a copy of this form to facilitate the processing of this application and to ensure 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. (Please attach additional information)
☐	The proposal would not conflict our interests if the changes noted below or attached are addressed.

Please add any specific comments below or attach a separate document with more information.

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION

Housing Resource Document for the City of Oregon City Comprehensive Plan

Prepared For:

City of Oregon City
PO Box 3040
320 Warner Milne Road
Oregon City, OR 97045

Prepared By:

David Evans and Associates, Inc
2100 SW River Parkway
Portland, OR 97201

October, 2002

Table of Contents

1	INTRODUCTION.....	1
2	EXISTING CONDITIONS	1
2.1	DEMOGRAPHICS	1
2.1.1	<i>Population Trends</i>	1
2.1.2	<i>Age</i>	2
2.1.3	<i>Race</i>	3
2.1.4	<i>Group Quarters</i>	4
2.1.5	<i>Poverty</i>	4
2.2	HOUSEHOLDS	5
2.2.1	<i>Household Size</i>	6
2.2.2	<i>Income</i>	6
2.3	HOUSING STOCK	7
2.3.1	<i>Housing Units (Census)</i>	8
2.3.2	<i>Housing Units (Housing survey)</i>	8
2.3.3	<i>Current Housing Mix and Density</i>	12
2.3.4	<i>Condition</i>	13
2.3.5	<i>Housing Availability</i>	14
2.3.6	<i>Cost</i>	14
2.3.7	<i>Owning Versus Renting</i>	17
3	FUTURE HOUSING NEED	18
3.1	PROJECTED LAND CAPACITY	18
3.1.1	<i>Existing Residential Land Supply</i>	18
3.2	METRO AND CLACKAMAS COUNTY CAPACITY ESTIMATES/LAND NEED THROUGH 2017	23
3.3	HOUSING MIX BASED ON DEMOGRAPHICS.....	25
3.4	LAND NEEDS/SURPLUS BY HOUSING TYPE	27

List of Tables

Table 1. Population Change of Oregon City and other Willamette Valley Jurisdictions	2
Table 2. Age.....	3
Table 3. Race as a Percentage of Population.....	3
Table 4. Number and Percentage of People in Group Quarters	4
Table 5. Poverty in Oregon City (2000)	5
Table 6. Household Type in Oregon City	5
Table 7. Average Household Size	6
Table 8. Household Income in Metropolitan Portland and Oregon City (2000).....	7
Table 9. Median Household Income (2000)	7
Table 10. Number of Units by Structure Type by Percentage of Total Housing Units	8
Table 11. Number of Existing Units by Type and Zone	10
Table 12. Number of Existing Units by Type and Neighborhood	11
Table 13. Mobile and Manufactured Home Parks.....	12
Table 14. Percentage of Housing Units by Structure Type within the City Limits (1996-2001)	12
Table 15. Development Density Compared to Maximum Allowable Density (1996-2001)	13
Table 16. Housing Condition in Oregon City.....	13
Table 17. Current Occupancy and Vacancy Rates in Oregon City	14
Table 18. Average Rent by Number of Bedrooms for Portland and Oregon City	14
Table 19. Median Home Price for Portland and Oregon City (Jan 2002-July 2002)	15
Table 20. Housing Affordability based on Household Income	16
Table 21. Monthly Affordable Housing Costs for Oregon City Residents	17
Table 22. Affordable Housing by Median Household Income.....	18
Table 23. Vacant Residential Land by Zoning in Oregon City.....	21
Table 24. Partially Vacant Residential Land by Zoning in Oregon City.....	22
Table 25. Potentially Redevelopable Residential Land by Zoning in Oregon City	23
Table 26. Capacity Analysis based on Metro and Clackamas County Capacity Estimates.....	24
Table 27: Actual and Projected Housing Mix	27
Table 28. Housing Need/Surplus with Rezoned Areas.....	28
Table 29. Potential Changes in Zoning to Meet Density Target.....	29

List of Figures

On or Follows Page

Figure 1. Oregon City Neighborhood Boundaries	11
Figure 2. Vacant and Partially Vacant Parcels.....	20
Figure 3. Improvement to Land Value Ratio for Residential Property.....	23
Figure 4. Percentage of New Housing Units Needed by housing Type for Oregon City.....	26
Figure 5. Changes to the Comprehensive Plan Map and Zoning Designations.....	28

1 Introduction

Adequate, affordable housing is one of the most important elements of any community. Housing provides our daily shelter as well as supplying a personal identity to a neighborhood and the community at large. An adequate supply of affordable housing and a variety of housing options to meet the needs of Oregon City residents are important components of a thriving community. Ensuring that all residents are able to secure housing and offering housing choices that attract new residents are ways to build a community's future.

We are largely a nation of homeowners. According to the 2000 Census, nationwide, approximately 66 percent of all households own their homes. In the Portland Metropolitan Area,¹ about 62 percent of all households are owner-occupied; Oregon City is very similar at 60 percent. For the homeowner and the renter, housing costs are a significant economic investment. Housing also plays a vital role in the national economy by generating jobs. For local government, housing is a primary source of income (property taxes) and the major recipient of expenditures to provide public facilities and services (water, sewer, transportation, police and fire).

Oregon City is unique in the region for its role in Oregon history and for the age and diversity of its housing stock. In Oregon City, housing has always been at the center of the community. Many older homes and buildings have historical significance. Therefore, housing planning in the city is aimed at both development of new housing units and preservation or careful redevelopment of older historic housing units. This requires a keen understanding of the current housing stock. Because Oregon City, like many other communities in the Willamette Valley, has grown quickly in the last decade, more units are needed to accommodate new residents, or residents wishing to move into another type of housing.

The Housing Element covers:

- Demographics that gives an overview of Oregon City residents compared to the region;
- Housing Stock that describes the current number of housing units
- Projected Land Capacity that describes the amount of vacant, partially vacant and potentially redevelopable residential land and its projected housing capacity; and
- Land Needs/Surplus that describes the needed housing mix and land needs be housing type.

2 Existing Conditions

2.1 Demographics

2.1.1 Population Trends

Oregon City has experienced population booms and busts over its long history. In the last twenty years Oregon City, like many communities in the Willamette Valley, has seen more accelerated

¹ The Portland Metropolitan Area includes the Multnomah, Clackamas, and Washington Counties, unless otherwise noted. The U.S. Census Bureau considers the three-county area a Primary Statistical Area.

growth, growing faster in the 1990's than in the 1980's. Table 1 illustrates the rate of growth for several communities in the Willamette Valley. Oregon City grew very little in the 1980's, when recession and lack of employment opportunities drew few new residents. In the 1990's, Oregon City began to grow at a much faster rate than it had in the 1980's, and along with other cities in the Willamette Valley, far surpassed the growth rates seen in the 1980's. In the 1990's, Oregon City was one of the fastest growing cities in the Willamette Valley, increasing its size by nearly 82 percent between 1990 and 2000. Clackamas County and the state also grew at much faster rates in the 1990's, increasing in population by approximately 24 percent and 22 percent, respectively.

Table 1. Population Change of Oregon City and other Willamette Valley Jurisdictions

Jurisdiction	1980	1990	% change (1980-1990)	AAGR (1980-1990)	2000	2001	% change (1990-2001)	AAGR (1990-2001)
Oregon	2,633,156	2,842,321	7.9%	0.8%	3,421,399	3,471,000	22.1%	1.8%
Clackamas Co.	241,919	278,850	15.3%	1.4%	338,391	345,150	23.8%	2.0%
Oregon City	14,673	14,698	0.2%	0.0%	25,754	26,680	81.5%	5.6%
Albany	26,511	29,540	11.4%	1.1%	40,852	41,650	41.0%	3.2%
Dallas	8,530	9,422	10.5%	1.0%	12,459	12,650	34.3%	2.7%
Forest Grove	11,499	13,559	17.9%	1.7%	17,708	18,380	35.6%	2.8%
Gladstone	9,500	10,152	6.9%	0.7%	11,450	11,438	12.7%	1.1%
Gresham	33,005	68,249	106.8%	7.5%	90,205	91,420	34.0%	2.7%
Lebanon	10,413	10,950	5.2%	0.5%	12,950	13,190	20.5%	1.7%
McMinnville	14,080	17,894	27.1%	2.4%	26,499	27,500	53.7%	4.0%
Milwaukie	17,931	18,670	4.1%	0.4%	20,550	20,490	9.7%	0.8%
Newberg	10,394	13,086	25.9%	2.3%	18,064	18,280	39.7%	3.1%
Salem	89,233	107,793	20.8%	1.9%	136,924	139,320	29.2%	2.4%
Tualatin	7,483	14,664	96.0%	7.0%	22,791	23,270	58.7%	4.3%
West Linn	11,358	16,389	44.3%	3.7%	22,261	23,090	40.9%	3.2%
Woodburn	11,196	13,404	19.7%	1.8%	20,100	20,410	52.3%	3.9%

Source: U.S. Census (1980, 1990, and 2000 Decennial Census); Portland State University Population Research Center, 2001

2.1.2 Age

The age of a population is a factor in determining what types of housing units are needed. Younger residents are likely to live with families or in apartments. When residents begin to have children, housing needs change from smaller units to single-family homes with rooms for the children to play. When residents no longer need the large house because their children have left, housing needs change again, often when the care of a larger home is burdensome or when more medical care is necessary. Currently, the highest percentage of residents in Oregon City and the Portland Metro area are between 25 and 54, the ages when residents are starting families or have older children still living at home (Table 2). Many residents in this age bracket earn more money as they become established in their careers and are able to afford more expensive housing. Oregon City has a slightly younger population than the Portland Metro area, with a median age of 32.7 compared to the Portland Metro area at 34.9. Oregon City has a higher percentage of residents under 10 than the Portland Metro area, indicating that many Oregon City residents have young families.

Table 2. Age

Age	Oregon City		Portland PMSA	
	Number	Percentage	Number	Percentage
Under 5	2,160	8.4%	108,004	6.9%
5 to 9	2,019	7.8%	109,949	7.0%
10 to 14	1,763	6.8%	108,194	6.9%
15 to 19	1,740	6.8%	105,762	6.7%
20 to 24	1,913	7.4%	107,383	6.8%
25 to 34	4,239	16.5%	249,314	15.9%
35 to 44	4,135	16.1%	259,557	16.5%
45 to 54	3,433	13.3%	233,748	14.9%
55 to 59	1,145	4.4%	74,198	4.7%
60 to 64	696	2.7%	51,236	3.3%
65 to 74	1,147	4.5%	80,269	5.1%
75 to 84	931	3.6%	62,108	3.9%
85 and older	433	1.7%	23,049	1.5%
Median Age	32.7		34.9	

Source: 2000 Decennial Census, Profile of Selected Economic Characteristics

2.1.3 Race

Oregon City is less diverse in its racial and ethnic composition than the state or the Portland Metro area; over 90 percent of Oregon City's population is white. Table 3 includes the percentage of residents by race for Oregon, Metropolitan Portland, and Oregon City. Oregon City's minority population is composed primarily of Hispanics or Latinos, with smaller numbers of residents identifying themselves as two or more races. Asian residents make up just over one percent of the city's population. This is less than the Portland Metro area where nearly five percent of the population is Asian. In Oregon City, as in the state and the Portland Metro area, the largest minority group is Hispanic or Latino.

Table 3. Race as a Percentage of Population

	Oregon	Oregon City	Portland MSA
White (%)	83.5%	90.8%	81.6%
Black/African Am.(%)	1.6%	0.6%	2.6%
Am. Indian, Eskimo, Aleut (%)	1.2%	0.9%	0.8%
Asian (%)	2.9%	1.1%	4.5%
Hawaiian/ other Pacific Islander (%)	0.2%	0.1%	0.3%
Some other race (%)	0.1%	0.0%	0.1%
Two or more races (%)	2.4%	2.2%	2.7%
Hispanic/Latino(%)	8.0%	5.0%	7.4%

Source: U.S. Census Bureau, 2000 (SF-1).

Note: The total percentage of Oregon City residents does not equal 100 percent due to rounding.

2.1.4 Group Quarters

Group quarters are not considered standard housing units because the units do not have individual kitchens, but this is still an important source of housing for certain populations. The population in group quarters is broken into institutionalized (prisons, nursing homes, hospitals, etc.) and non-institutionalized (college dormitories, halfway homes, etc.) populations. In Oregon City, about 91 percent of the population in group quarters is institutionalized, either in correctional institutions (61 percent), nursing homes, or assisted living facilities (39 percent). Table 4 shows the total number of people (institutionalized and non-institutionalized) living in group quarters. Oregon City has a higher percentage of its total population in group quarters (3.5 percent) than the Portland Metro Area (1.8 percent). The number of residents seeking housing in groups quarters (nursing or residential care facilities) is likely to increase as the population ages over the next 20 years.

Table 4. Number and Percentage of People in Group Quarters

Area	1990		2000		1990-2000 Change	
	Number	% of Total Population	Number	% of Total Population	Number	Percent Change
Oregon City						
Group Quarters	362	2.5%	903	3.5%	541	149.45%
Total Population	14,698	100.0%	25,754	100.0%	11,056	75.22%
Portland PMSA						
Group Quarters	23,080	1.9%	28,939	1.8%	5,859	25.39%
Total Population	1,239,842	100.0%	1,572,771	100.0%	332,929	26.85%

Source: U.S. Census Bureau, 1990 (STF 1); 2000 Decennial Census, Profile of Selected Economic Characteristics

2.1.5 Poverty

Oregon City residents who fall below the federal poverty level have a more difficult time securing adequate housing than those with higher incomes. Table 5 shows the poverty rate for all residents in Oregon City by relationship. Overall, the percentage of individuals below the poverty level in Oregon City is lower than the Portland Metro area, although female householder families are having a harder time making ends meet. The percentage of all families in poverty in Oregon City (6.5 percent) is slightly higher than families in poverty in the Portland Metro area (6.2 percent).

Female-headed households are much more likely to live in poverty than other families. The percentage of female-headed households in Oregon City in poverty is significantly higher than the Portland Metro area, with nearly 25 percent of female-headed households in Oregon City living in poverty. This compares to just over 20 percent in the Portland Metro area as a whole. The biggest concern is female-headed households with children under five. Over 41 percent live below the poverty line in Oregon City compared to about 39 percent for the Portland Metro area.

Table 5. Poverty in Oregon City (2000)

Category	Oregon City	Percent of Population	Portland PMSA	Percent of Population
Individuals	2,173	8.9	147,501	9.5
Persons 18 years and older	1,404	7.8	103,152	8.9
Persons 65 years and older	167	7.5	11,877	7.4
All families	438	6.5	24,605	6.2
With related children under 18	368	10.1	19,860	9.6
With related children under 5	183	11.7	10,939	13
All female householder families	293	24.9	11,529	20.2
With related children under 18	271	32.5	10,569	26.8
With related children under 5	118	41.4	5,355	39.1

Source: 2000 Decennial Census, Profile of Selected Economic Characteristics

2.2 Households

While population characteristics are important, the characteristics of households define residential need. A household is all people living in a residential unit. A single person living alone in an apartment is considered a household, as is a family with children.

The U.S Census distinguishes between family and non-family households. Family households are made up of people related by blood or marriage. Non-family households are made up unrelated individuals (roommates). In 1990, Oregon City had 5,479 households with almost 70 percent in family households and about 30 percent in non-family households (Table 6). A comparison of the 2000 Decennial Census to the 1990 Census showed that there was very little change in the breakdown between family and non-family households, even though the 2000 Census reported a 73 percent increase in total households from 5,479 to 9,471 in 2000. Family households did grow slightly faster than non-family households, with single parent households showing the biggest increases.

Table 6. Household Type in Oregon City

	1990		2000		Percent Change 1990-2000
	Number	Percent	Number	Percent	
Total Households	5,479		9,471		72.9%
Family households	3,803	69.4%	6,669	70.4%	75.4%
With own children under 18	2,153	39.3%	3,469	36.6%	61.1%
Married Couples with family	2,946	53.8%	5,024	53.0%	70.5%
With own children under 18	1,565	28.6%	2,410	25.4%	54.0%
Female householder, no husband present	649	11.8%	1,166	12.3%	79.7%
With own children under 18	453	8.3%	769	8.1%	69.8%
Male householder, no wife present	208	3.8%	479	5.1%	130.3%
With own children under 18	135	2.5%	290	3.1%	114.8%
Non family households	1,676	30.6%	2,802	29.6%	67.2%

Source: U.S. Census, 1990 (STF-1); U.S. Census, 2000 (SF-1); 2000 Decennial Census, Profile of Selected Economic Characteristics

2.2.1 Household Size

Another characteristic that will affect the type of housing needed by a household is its size. Average household size has declined nationally and in Oregon over the past 50 years. Table 7 shows that in 1950, the average household size in Oregon was 3.10, but sharp declines in the 1970's dropped the average household size to 2.60 in 1980. The decline in average household size has slowed over the last 20 years, but has still fallen to 2.51 for Oregon.

Table 7. Average Household Size

	Oregon		Oregon City	
	Average	Percent Change	Average	Percent Change
1950	3.10		2.90	
1960	3.10	0.0%	2.90	0.0%
1970	2.90	-6.5%	2.90	0.0%
1980	2.60	-10.3%	2.66	-8.3%
1990	2.52	-3.1%	2.62	-1.5%
2000	2.51	-0.4%	2.62	0.0%

Source: 1950-1970: "1940-1970 Population and Housing Trends, Cities and Counties of Oregon," Bureau of Government Research and Service, University of Oregon; 1980 Census of Housing, , Bureau of the Census, August 1982; 1990 Census, (Summary of Population and Housing Characteristics); 2000 Census (SF-1)

The Portland Metro area mirrors the state average at 2.51 percent in 2000. Oregon City had a smaller average household size than the state in 1950 (2.90), and also saw sharp declines in the 1970's, but did not decrease as fast as the state. Oregon City has continued to maintain a 2.62 average household size through 2000, the same as in 1990. Smaller household size means more units are needed even if the population remains unchanged.

2.2.2 Income

The most important household characteristic for determining housing need is income. Household income in Oregon City is generally increasing, with the biggest increases at the higher income levels. Table 8 indicates that the majority of Oregon City households earned between \$25,000 and \$74,999 (about 57 percent), which is similar to the Portland Metro area, where the majority of households (about 52 percent) also earn between \$25,000 and \$74,999.

In general, household income distribution in Oregon City mirrors the Portland Metro area with differences all less than two percent for each income bracket. The only exception are households earning more than \$150,000; 4.6 percent of Portland Metro households earn more than \$150,000 but in Oregon City only 1.5 percent of households earn more than \$150,000.

Table 8. Household Income in Metropolitan Portland and Oregon City (2000)

	Oregon City	Percent of population	Portland PMSA	Percent of population
Less than \$10,000	728	7.7%	42,556	6.9%
\$10,000 to 14,999	395	4.2%	31,037	5.0%
\$15,000 to 24,999	1,028	10.8%	69,551	11.3%
\$25,000 to 34,999	1,322	13.9%	78,424	12.7%
\$35,000 to 49,999	1,816	19.1%	105,902	17.2%
\$50,000 to 74,999	2,245	23.6%	133,308	21.7%
\$75,000 to 99,999	1,217	12.8%	72,099	11.7%
\$100,000 to 149,000	599	6.3%	53,649	8.7%
More than \$150,000	143	1.5%	28,565	4.6%

Source: 2000 Decennial Census, Profile of Selected Economic Characteristics

Table 9 shows median household income (MHI) for the Portland Metro area and Oregon City. Median household income has increased faster in Oregon City than in the Portland Metro area, although the MHI in Oregon City is still lower than the Portland Metro area. In 2000, Oregon City's median household income was about \$46,000 compared to the Portland Metro area, which has a median household income of nearly \$47,000.

Table 9. Median Household Income (2000)

Area	Median Household Income
Oregon City	45,531
Portland PMSA	46,789

Source: 2000 Decennial Census, Profile of Selected Economic Characteristics

2.3 Housing Stock

Determining how much and what types of housing will be needed in the next 20 years requires an understanding of what the current housing stock offers. The Residential Housing and Land Inventory is used as the basis for determining the types and number of units that currently exist in Oregon City and the land available to accommodate housing in the future. Housing trends are based on building permit data since 1996.

The demographics section illustrated that Oregon City is a growing community and, if growth continues as expected, more housing units will be required than are now available. How will this growth affect the livability of Oregon City, and what housing options will new residents want? One single type of housing will not meet the needs of every current and future resident; people need different types of housing depending on income, family size, age, etc. To ensure current residents stay and new residents want to move to Oregon City, a range of housing options are necessary.

2.3.1 Housing Units (Census)

The previous sections discussed characteristics and housing needs of Oregon City residents. This section describes housing units available for them. Oregon City has a range of housing types. Table 10 shows the total number of units (both occupied and vacant) by structure type, based on the 2000 Census. The percentage of single-family homes in Oregon City (74 percent) is nearly the same as the Portland Metro area (73 percent). By far the majority of single-family homes are one-unit-detached structures. Other single-family housing types include one-unit-attached (townhouses), duplex (two-unit), and mobile homes. The percentage of the housing stock in each of these structure types is similar to that in the Portland Metro area as a whole.

Table 10. Number of Units by Structure Type by Percentage of Total Housing Units

	Oregon City		Portland PMSA	
	Units	Percentage of total housing units	Units	Percentage of total housing units
Single-family				
one unit-detached	6320	62.2	401,817	61.6
one unit-attached	283	2.8	21,994	3.4
Duplex	603	5.9	19,476	3.0
Mobile home	348	3.4	31,468	4.8
<i>Subtotal</i>	<i>7554</i>	<i>74.0</i>	<i>474,755</i>	<i>73.0</i>
Multi Family				
3-4	620	6.1	29,880	4.6
5-9	883	8.7	35,569	5.5
10-19	382	3.8	36,517	5.6
20 or more	726	7.1	73,713	11.3
<i>Subtotal</i>	<i>2611</i>	<i>26.0</i>	<i>175,679</i>	<i>27.0</i>
Boat, RV, van etc	0		1,836	
Total	10,165		652,270	

Source: 2000 Decennial Census, Profile of Selected Economic Characteristics Household Characteristics

According to the 2000 Census, multifamily housing (structures with three or more units) account for about 26 percent of all housing in Oregon City and about 27 percent of all housing in the Portland Metro area. Oregon City's multifamily housing is concentrated in smaller complexes with less than ten units, although some newer apartment complexes with more than 20 units also are found in the city. The Portland Metro area also has a number of smaller apartment complexes, but the majority of units are in larger complexes with 20 or more units.

2.3.2 Housing Units (Housing survey)

Additional housing data by structure type was gathered through a parcel level housing survey completed in May 2002. The survey was conducted by walking or driving the entire city within the Oregon City UGB. In areas where it was difficult to determine if there were housing units,

aerial photos were used to confirm the number and type of housing units. Section 2.3.2.1 compares Census housing counts with those gathered in the housing survey.

An inventory of Oregon City housing revealed that housing in the city is fairly well dispersed in the city's neighborhoods (Figure 1).² Table 11 shows the number of housing units by type and zone. Table 12 shows the number of housing units by type and area. While nearly all areas have a significant number of units, Hazel Grove/Westling Farm, Hillendale, McLoughlin, Mt. Pleasant and the South End have the highest concentration of residential units. Within these areas, R-10, R-8, and R-6 zones have the highest concentration of single-family detached homes; RA-2, RD-4 and R-6 zones have the highest concentration of multifamily units. Single-family detached residential units are the dominant housing type in Oregon City.³ A description of zoning districts is in Appendix A.

2.3.2.1 Within City Limits

There are 11,395 housing units within the city limits of Oregon City. Single-family units comprise approximately 76 percent of housing within the city limits, which is slightly higher than the 74 percent that the census data reported for total single-family units.^{4,5} The housing survey determined that approximately 19 percent of housing units are multifamily units in structures or complexes with three or more units, compared to the Census data that reported approximately 26 percent of Oregon City housing unit as multifamily. The Census does not count group quarters by unit (it only counts individuals living in group quarters), although the May 2002 housing survey did identify an additional 505 units within the city limits, or about four percent of housing units, as group quarters. These include complexes such as group homes, retirement homes, and congregate care facilities where residents do not have individual kitchens.

Overall, the May 2002 housing survey counted 11,395 housing units within the city limits compared to 10,165 housing units counted in the 2000 Census. If group quarters were removed from the housing survey, the total units would be 10,890. While this is still higher than the Census count, the housing survey includes residential construction after the 2000 Census information was collected.

2.3.2.2 Outside the City Limits but Inside the UGB.

There are 1,162 housing units outside of the Oregon City city limits, but within the urban growth boundary (UGB). All housing units in this area are single-family units. About 55 percent of these homes are more traditional single-family detached homes on larger lots, and about 44 percent of homes are manufactured housing units in parks.

² City staff used existing neighborhood association boundaries that were slightly modified to include all areas within the UGB.

³ Total accessory dwelling units were estimated using Metro's methodology (based on 2000 Census data) at 1.8 percent of total single-family detached residential units (not including manufactured or mobile homes in parks). Applied to Oregon City, this equals 142 units, which were included in the overall count of residential units within the UGB.

⁴ Single-family units include single-family detached, single-family attached, duplex, mobile homes in parks, and accessory dwelling units.

⁵ The 2000 Census counted housing units within the city limits. It does not include housing units outside the city limits, but within the UGB.

2.3.2.3 Overall Housing Units

According to housing survey, there are 12,557 housing units within the Oregon City UGB; about 81 percent are single-family homes. About seven percent of single-family homes are mobile or manufactured homes in parks, with the majority of those parks located outside the city limits but inside the UGB. Oregon City has a number of multifamily units (three or more units), comprising about 17 percent of all units within the UGB. Duplexes (just over five percent of housing units) and multifamily units are primarily located inside the city limits. Group quarters were found in five neighborhoods: Barclay Hills, Gaffney Lane, McLoughlin, New TBA, and Rivercrest. These were mainly nursing or retirement homes, although there were also some congregate homes for residents with physical and/or mental disabilities.

Table 11. Number of Existing Units by Type and Zone

ZONE	Single-Family Residential	Duplex	Manufactured Homes in Parks	Single-Family Residential Attached	Multifamily Residential	ADU	Group Quarters	Total
Inside City Limits								
C	38	4	0	0	17	1	108	168
CI	5	0	0	0	0	0	0	5
HC	17	0	0	0	0	0	0	17
LC	19	4	0	0	17	0	0	40
LO	21	6	0	6	174	0	101	308
LOC	26	4	0	0	28	0	0	58
M-1	25	4	0	0	0	0	0	29
NC	8	2	0	0	0	0	0	10
R-10	2,647	76	0	0	4	48	0	2,775
R-6	1,735	129	0	0	290	31	55	2,240
R-6/MH	125	0	0	0	0	2	0	127
R-8	2,220	6	0	0	0	40	5	2,271
RA-2	25	26	0	20	1,215	0	119	1,405
RC-4	324	80	0	0	110	6	63	583
RD-4	192	333	381	46	350	3	54	1,359
<i>Subtotal</i>	<i>7,427</i>	<i>674</i>	<i>381</i>	<i>72</i>	<i>2,205</i>	<i>131</i>	<i>505</i>	<i>11,395</i>
Outside City Limits								
County	637	2	512	0	0	11	0	1,162
<i>Subtotal</i>	<i>637</i>	<i>2</i>	<i>512</i>	<i>0</i>	<i>0</i>	<i>11</i>	<i>0</i>	<i>1,162</i>
Total	8,064	676	893	72	2,205	142	505	12,557

Source: Source: David Evans and Associates, May 2002 Housing Survey

ADU=Accessory dwelling unit

Table 12. Number of Existing Units by Type and Neighborhood

Area	Single-Family Residential	Duplex	Manufactured Homes in Parks	Single-Family Residential Attached	Multifamily Residential	Accessory Dwelling Units	Group Quarters	Total
Inside City Limits								
Barclay Hills	273	128	0	0	279	5	108	793
Canemah	111	0	0	0	18	2	0	131
Caufield	512	0	67	0	200	9	0	788
Gaffney Lane	747	4	0	66	434	13	159	1,423
Hazel Grove/Westling Farm	460	0	0	0	0	8	0	468
Hillendale	805	56	314	0	194	14	0	1,383
McLoughlin	800	140	0	0	207	14	63	1,224
Mt. Pleasant	608	68	0	6	452	11	0	1,145
New TBA	362	20	0	0	146	7	125	660
Park Place	604	144	0	0	100	11	0	859
Rivercrest	611	8	0	0	65	11	50	745
South End	979	102	0	0	0	18	0	1,099
Tower Vista	555	4	0	0	110	8	0	677
Subtotal	7,427	674	381	72	2,205	131	505	11,395
Outside of the City Limits								
Canemah	5	0	33	0	0	0	0	38
Caufield	99	0	479	0	0	2	0	580
Gaffney Lane	27	0	0	0	0	0	0	27
Hazel Grove/Westling Farm	118	0	0	0	0	2	0	120
Hillendale	94	0	0	0	0	2	0	96
New TBA	12	2	0	0	0	0	0	14
Park Place	104	0	0	0	0	2	0	106
South End	178	0	0	0	0	3	0	181
Subtotal	637	2	512	0	0	11	0	1,162
Total	8,064	676	893	72	2,205	142	505	12,557

Source: David Evans and Associates, May 2002 Housing Survey

2.3.2.4 Manufactured Housing

Oregon state law requires that manufactured homes be allowed anywhere traditional single-family detached homes are permitted, provided they meet specific building codes. The May 2002 housing survey counted manufactured homes on individual lots as single-family detached units. In these instances, the homeowner owns the structure and the land where the home is located.

Oregon City also has designated mobile home parks and manufactured home developments where the homeowner owns the structure, but rents or leases the land where the home is located. These housing developments were counted separately in the housing survey because there are different housing structure requirements for parks. For example, homes in parks are not always required to have a permanent foundation or permanent utilities connections. Table 13 shows designated mobile home and manufactured home parks within Oregon City.

Table 13. Mobile and Manufactured Home Parks

Park Name	Neighborhood	Capacity (units)	Existing Units	Vacant
Mt. Pleasant Mobile Home Park	Hillendale	125	125	0
Clairmont Mobile Home Park	Hillendale	189	189	0
Country Village Estates	Caufield	479	448	31
Cherry Lane Mobile Home Park	Caufield	67	60	7
Mobile Home Park	Canemah	33	33	0

Source: City of Oregon City; David Evans and Associates, Inc.; May 2002 Housing survey

2.3.3 Current Housing Mix and Density

Residential development since 1996 in Oregon City has consisted primarily of single-family detached residential development. Table 14 shows that 82.5 percent of units built since 1996 have been single-family detached, while about 14.5 percent were multifamily units. Manufactured or mobile homes also accounted for about three percent of new units.

Table 14. Percentage of Housing Units by Structure Type within the City Limits (1996-2001)

	Percent of Units
Single-family detached	82.5%
Single-family attached	0.3%
Mobile or manufactured	2.7%
Multifamily	14.5%

Source: Metro, 2002

In order to make efficient use of urban land and infrastructure (water, sewer, streets), Metro urges cities to ensure that housing is built at densities of at least 80 percent, the maximum allowed by zoning. As a part of the Oregon City Functional Compliance Report (1999), the City determined that between 1990 and 1995, the number of households per net developed acre reached 82 percent of the maximum allowable densities for residential zones, which complies with the Metro target for built density.

Table 15. Development Density Compared to Maximum Allowable Density (1996-2001)

Zone	Total Units	Original Parcel Size	Developed Acres (residential)	ROW/ Unbuildable	Net Density	Maximum Density	Percent of Maximum Density (net)
ZONING DESIGNATIONS							
R-10	399	141.3	89.7	57.5%	4.4	4.4	100%
R-6	45	11.6	7.9	46.8%	5.7	7.3	78%
R-6/MH	46	12.7	9.5	33.7%	4.8	6.4	76%
R-8	725	200.8	149.5	34.3%	4.8	5.5	88%
RD-4	88	18.1	14.4	25.7%	6.1	10.9	56%
Total	1,303.0	384.5	271.0	41.9%	4.8		80%

Source: City of Oregon City (July 2002); David Evans and Associates

Table 15 shows residential development permitted through land use actions (subdivisions) since 1996. The majority of new development has occurred in the R-8 and R-10 zoning districts, largely on land annexed since 1996. Developments also appear to be occurring on parcels with more environmental constraints, as the amount of land not developed, especially in the R-10 and R-6 zones, is much higher than in other areas. Regardless of parcel size, the city is achieving 80 percent of maximum residential density citywide. Some zones are reaching closer to the maximum allowable density than others; the R-10 zone has reached 100 percent of the maximum density, where as the RD-4 zone has achieved just 56 percent.

2.3.4 Condition

No housing condition survey has been completed in recent years. Instead, the condition of the current housing stock in Oregon City has been estimated based on the age of the structures. Newer units, ones typically less than 30 years old, will require fewer major repairs (new roof, electrical upgrades, plumbing). Table 16 shows the age of Oregon City housing stock. Almost half of Oregon City homes are older than 30 years, with over a quarter of homes older than 50 years. These homes require more upkeep than the newer homes, costing the homeowner additional money if the home is repaired as needed. About a third of homes are less than ten years old, showing the boom in home construction over the last 10 years.

Table 16. Housing Condition in Oregon City

	Percent
Less than 10 Years old	32%
11 to 20 Years old	3%
21 to 30 Years old	25%
31 to 40 years old	8%
41 to 50 years old	5%
more than 50 years old	26%

Source: Clackamas County Tax Assessor's Office (May, 2002)

2.3.5 Housing Availability

Oregon City and the Portland Metro area are similar in the percentage of renters versus owners, as shown in Table 17. The majority of housing units in both Oregon City and the Portland Metro area are owner-occupied; about 60 percent of housing units in Oregon City are owner-occupied, compared to about 62 percent in the Portland Metro area. Oregon City also has a slightly higher rental vacancy rate at 7.7 percent compared to the Portland Metro area at 6.7 percent. The vacancy rate is a determining factor in the amount of rental units available. A vacancy rate over five percent is considered indicative of a rental market that is adequate to serve the needs of the community. A lower rate may signify a need for more units to meet demand. However, the vacancy rate does not take into account the types of housing that are vacant.

Table 17. Current Occupancy and Vacancy Rates in Oregon City

	Oregon City (percent)	Portland PMSA (percent)
Occupied housing units	93.7	94.2
Owner occupied	59.8	62.0
Renter occupied	40.2	38.0
Vacant housing units	6.3	5.8
Homeowner vacancy rate	3.4	2.3
Rental vacancy rate	7.7	6.7

Source: 2000 Decennial Census, Profile of Selected Economic Characteristics Household Characteristics

2.3.6 Cost

One factor for determining how affordable housing is in Oregon City is to compare average rental cost and cost of homes for sale to median household income. Table 18 and Table 19 show average rents and the median home prices by the number of bedrooms for Oregon City and the Portland Metro area.

Table 18. Average Rent by Number of Bedrooms for Portland and Oregon City

	Oregon City	Portland
Studio	\$373	\$492
One-bedroom	\$500	\$600
Two-bedroom	\$599	\$735
Three-bedroom	\$690	\$873
Four-bedroom	N/A	\$977

Source: Housing Authority of Portland (Portland rental rates); Rental Data.com (Oregon City rental information)

Rents are less expensive in Oregon City (20 to 30 percent lower) than in the Portland Metro area. While this does provide a general indication that renting an apartment in Oregon City is more affordable, it does not take into account the total number of units by price available or by location. Different rental rates and size of available units are not evaluated individually, but it is likely that lower priced rental units are more competitive than higher rents for larger units or units with more amenities.

Home prices in Oregon City are competitive with the Portland Metro area. According to the Regional Multiple Listing Service (RMLS), median home prices in Oregon City have increased as fast as the other parts of the Portland Metro area, especially for homes with three bedrooms. The RMLS reports that the median price for all home types in the Oregon City area is actually higher than the Portland Metro area, although this may be skewed slightly because RMLS includes some rural areas in Oregon City, where larger lots and potentially higher prices could drive the median cost higher. Nevertheless, the majority of homes sold in the last year within the RMLS zone that includes Oregon City reflect a housing market very similar to the Portland Metro area.

Although the median home price (for 2002) for all homes sold is higher in Oregon City, median home price by type and number of bedrooms is generally lower. The median home price for a home with four or more bedrooms is about eight percent lower in Oregon City than the Portland Metro area as a whole. Smaller homes are more comparable, with two and three bedroom homes selling for nearly the same as in the Portland Metro area. Condominiums in Oregon City are about 30 percent less expensive than the region.

Table 19. Median Home Price for Portland and Oregon City (Jan 2002-July 2002)

	Oregon City	Portland
Two-bedroom	\$132,000	\$135,000
Three-bedroom	\$178,000	\$169,950
Four-bedroom	\$227,031	\$245,000
Condominium	\$98,500	\$129,900
Median (all units)	\$184,000	\$176,500

Source: Regional Multiple Listing Service (Jan -July 2002)

Note: RMLS does not track Oregon City separately from other rural areas outside of the Portland metro area. Some rural areas outside of the Oregon City UGB are included in median home prices.

The market value for existing housing is only one facet for determining how much home Oregon City residents can afford, or if they can even afford to purchase a home. Income requirements from lenders and savings for a down payment are two stumbling blocks, but affording the monthly mortgage payment on a home can also be a burden. Table 20 compares household income to fair market rents in Clackamas County.⁶ Fair market rents are used to assess the average cost of rental housing within each county and are a better indicator of the entire rental housing stock in the region. While average rents in Oregon City are lower than fair market rents in Clackamas County, there is no assurance of availability of these lower rent units. The total number of units at a certain price point is also not accounted for in average rents in Oregon City, so some residents may be forced to live outside the city or pay higher prices more in line with fair market rents.

Housing affordability is based on the percentage of monthly income spent on housing. The Department of Housing and Urban Development (HUD) uses a standard formula to determine affordability, assuming no more than 30 percent of monthly household income is spent on rent or

⁶ HUD determines fair market rent based on annual phone survey and other data gathering techniques down to the county level, but does not collect data for smaller geographic units such as Oregon City.

mortgage. Using HUD's formula, over 12 of percent of Oregon City residents cannot afford even a studio apartment, and over 23 percent are not able to afford a two-bedroom apartment.

Table 20. Housing Affordability based on Household Income

	Oregon City	Percent of population	Affordable Housing Cost (30 percent)	HUD Fair Market Rent (2001)
Less than \$10,000	728	7.7%	0-\$250	Studio: \$492 One-bedroom: \$606
\$10,000 to 14,999	395	4.2%	\$250-\$375	
\$15,000 to 24,999	1,028	10.8%	\$375-\$625	
\$25,000 to 34,999	1,322	13.9%	\$625-\$875	Two-Bedroom: \$747 Three-bedroom: \$1,038 Four-Bedroom: \$1,127
\$35,000 to 49,999	1,816	19.1%	\$875-\$1,250	
\$50,000 to 74,999	2,245	23.6%	\$1,250-\$1,875	
\$75,000 to 99,999	1,217	12.8%	\$1,875-\$2,500	
\$100,000 to 149,000	599	6.3%	\$2,500-\$3,725	
More than \$150,000	143	1.5%	more than \$3,750	
	9,493	100.0%		

Source: 2000 Decennial Census, Profile of Selected Economic Characteristics Household Characteristics; HUD; Analysis by David Evans and Associates, Inc.

Although many residents cannot afford even the most basic housing, most Oregon City households can. Households with incomes between \$35,000 and \$75,000 account for about 43 percent of households and are generally able to afford at least a two-bedroom apartment if not more.

While many Oregon City households are able to afford larger and more expensive housing, households with lower incomes are in a more precarious situation. When rent accounts for more than 30 percent of income, HUD considers the household "cost burdened." Households spending more than 50 percent of monthly income on rent are considered "extremely cost burdened" and likely to be financially stressed by emergencies or even unable to afford basic needs such as food and transportation. HUD breaks low-income households into several categories: extremely low-income (earning 30 percent or less than the median household income); very low-income (earning 50 percent or less than the median household income); and low-income (households earning 80 percent or less than the median households income). Table 21 illustrates what different Oregon City household income levels can afford based on the median household income. Extremely low-income households (earning less than \$13,659 annually) cannot afford even a studio in Oregon City. Very low-income households earning less than \$22,765 annually and accounting for about one-quarter of Oregon City's population are able to afford only a one-bedroom apartment. In order to find housing, very-low income households may double up or accept substandard units. Low-income residents (earning less than \$36,425) can sometimes afford larger units.

Higher income households have a much better chance of securing adequate housing because they can afford to be choosy in both housing type and location. The high percentage of extremely low and very low incomes in Oregon City, in combination with high rental rates and housing costs, reveals an apparent lack of housing for low-income households.

Table 21. Monthly Affordable Housing Costs for Oregon City Residents

	Median Household Income	Affordable Monthly Housing Costs (30 percent of income)			
Percent of Median Household Income		30 percent of MHI	50 percent of MHI	80 percent of MHI	100 percent of MHI
Oregon City	\$45,531	\$341	\$569	\$911	\$1,138

Source: 2000 Decennial Census, Profile of Selected Economic Characteristics Household Characteristics; Analysis by David Evans and Associates, Inc

The National Low-Income Housing Coalition (NLIHC) estimates that, nationally, 55 percent of low-income households experience cost burden, live in substandard housing, and/or live in overcrowded units. For extremely low-income households (30 percent of MHI), the likelihood that a household experiences some type of housing problem is even higher, at 88 percent.

2.3.7 Owning Versus Renting

Owning a home is often the biggest investment an individual or family will undertake and can provide a level of financial independence for those that can afford it. According to the National Low Income Housing Coalition (NLIHC) and the U.S Census Bureau, home ownership nationwide is on the increase, undoubtedly due to currently very low mortgage interest rates. Those who have not been able to secure loans in the past are now buying homes with little or sometimes no down payment. But getting a loan for a house is only part of the problem, because with a house comes upkeep costs and a mortgage payment that is not easily adjusted. Homeowners with lower incomes are often deeper in debt and more susceptible to market fluctuations. Losing a house due to foreclosure can further complicate an individual or family's chance of securing credit in the future.⁷

According to the NLIHC, households earning less than the area's median income are most susceptible to losing their homes or face a cost burden to pay the mortgage, interest and insurance. For example, households earning 80 percent of the median income will often live in less expensive older homes. Older homes are more expensive to maintain and are often located in poorer neighborhoods where the financial return on a home sale is not as great as more desirable areas. While owning a home does have the potential to create wealth, it also has the potential to exacerbate financial problems. Table 22 shows a general breakdown of owners versus renters and how housing costs affect household stability.

Attempting to determine what a household can afford is difficult because interest rates fluctuate, loan types vary, and property taxes are not the same everywhere. Nevertheless, the National Association of Homebuilders (NAHB) roughly calculated how much income a household would need to buy a home without overburdening it financially. The NAHB estimated that a home costing \$150,000 (assuming 10 percent down payment, seven percent mortgage interest and insurance, and overall consuming about 30 percent of household income) would require a median household income of \$47, 678. Consider that \$150,000 is lower than the median home price in Oregon City and the Portland Metro area (Table 19), and the necessary household

⁷ National Low Income Housing Coalition. (2002). *Advocates Guide to Housing and Community Development Policy*.

income is higher than the median household income for both Oregon City and the Portland Metro area (Table 9). Households in Oregon City earning even the median household income may experience some cost burden when buying a home in today's market.

Table 22. Affordable Housing by Median Household Income

Income	Tenure	Owns.....	Rents.....
High income (more than 120 percent of MHI)	Own home		
Middle income (120 percent of MHI: \$54,637 annually)	Own home		
Median income (\$45,531 annually)	Likely own home, but may rent		
Low income (80 percent or less of MHI: \$36,425 annually)	Own home or rent. May have some cost burden		
Very low-income (50 percent or less of MHI: \$22,765 annually)	Likely rent but may own home. Probably are cost burdened. Eligible for subsidized housing		
Extremely low-income (30 percent or less of MHI: \$13,659 annually)	Rents. Eligible for subsidized housing		

Source: 2000 Decennial Census, Profile of Selected Economic Characteristics Household Characteristics; HUD (2002); NLIHC (2002); Clackamas County Housing Authority; Analysis by David Evans and Associates, Inc.

3 Future Housing Need

3.1 Projected land capacity

3.1.1 Existing Residential Land Supply

The City of Oregon City completed a land inventory in May 2002 to determine the existing vacant residential land supply within the City's UGB. The inventory was then integrated with the City's GIS system and Clackamas County's Assessor data, providing parcel level information, including ownership, zoning and comprehensive plan designations.

Oregon City allows residential development in all of its zoning districts; however, not all vacant land identified in the housing survey within the UGB will be available for new residential development. While housing units exist in most zoning districts, vacant, partially vacant, and redevelopable land was only counted in zoning designations where residential development is encouraged. These zoning designations include: LC, R-10, R-6, R-6/MH, R-8, RA-2, RD-4, RC-4, and County.

Within commercial and industrial zoning districts where residential development is not, and should not be, the dominant development type, it was assumed that vacant land identified in the land inventory would be dedicated to other uses. City staff identified which areas would be suitable for residential development and should be included. Land with existing residential designations or existing residential development was broken into the following categories:

1. Vacant land—Parcels with no structures, or parcels with structures with an assessed value less than \$10,000 and a parcel area over 4000 sq. ft.

2. Partially vacant—Partially vacant land includes parcels that have at least one residential structure already located on the tax lot, but there is room for more units. Parcels were considered partially vacant if the lot size was at least triple the allowable lot size for the zone. Lots three to five times the minimum lot size were estimated to have room for at least one more unit. Lots more than five or more times the minimum lot size were assumed to develop the same as a vacant parcel for the zone.
3. Undevelopable—Parcels that are already committed to other uses. This includes any parcels with non-residential development (since residential uses are currently allowed in all zones), and parcels that are smaller than 4,000 sq. ft. Undevelopable land also includes parcels that have no vehicular access.
4. Developed residential land—Parcels with residential development and where developed land meets the current zoning designation and where the assessed value of the improvements (all structures) is greater than the assessed value of the land itself.
5. Potentially redevelopable land—Any parcel with a structure(s) or uses (i.e., a storage area), but are either not as intensive as allowed, or the existing assessed value of the improvements is less than the value of the land itself.⁸

3.1.1.1 Vacant Land

Vacant land within the Oregon City UGB is shown in Table 23 and Figure 2. Within the city limits, vacant land is found primarily in five zoning districts: R-10, R-6, R-6/MH, R-8, and RD-4. Overall, Oregon City estimates that approximately 22 percent of vacant land will be dedicated to public or semipublic uses such as schools, parks, and churches, and 15 percent to new roads. In calculating development capacity, it was assumed that parcels smaller than three eighths of an acre are already platted, would not require dedication of new right-of-way, and would use existing public facilities. Parcels with public or semi-public ownership were removed from the vacant lands inventory because it was assumed these parcels would be developed as non-residential uses (i.e., parks, schools, churches, public facilities, etc.).

Many vacant areas within the city limits are constrained because they are within the floodplain, are steep (greater than 25 percent), and/or are within the vegetation corridor near a waterbody or stream. These constraints reduce their development potential, so they were removed from the inventory. For example, nearly all vacant land within the R-6 zoning district is constrained. Although some development could occur on constrained land, vacant R-6 land in the entire city is extremely limited.

Overall, there are approximately 209 vacant buildable acres within the city limits, concentrated in the R-10 (63 percent), R6/MH (13 percent), R-8 (nine percent), and RD-4 zoning districts (seven percent). Assuming new development reaches 80 percent of the current maximum density for each district, 1,215 new units could be constructed within the city limits on vacant land.

⁸ To avoid double counting vacant and partially vacant parcels as potentially redevelopable parcels (vacant parcels will have a low or zero ratio, bigger parcels will tend to have a lower ratio and could also be considered redevelopable), only parcels where the building value was greater than \$10,000, met the building to land value criteria (less than 1:1), and less than three times the allowable lot size were counted as potentially redevelopable. Parcels with building values less than \$10,000 were assumed to be vacant, and parcels greater than three times the allowable lot size were considered partially vacant.

Outside the city limits, but within the UGB, there are approximately 126 vacant buildable acres.⁹ These parcels still retain rural zoning densities and when brought into the city limits will be rezoned to more urban densities, likely a combination of R-10, R-8, and R-6 zones. Assuming an average density that is 80 percent of the maximum of a R-8 zone, about 571 additional units could be constructed. This equals 1,787 new units on vacant land within the UGB.

3.1.1.2 Partially Vacant Land

Oregon City has many parcels within the city limits that have one single-family home and are at least three times the minimum lot size, as shown in Table 24 and Figure 2. The majority of these partially vacant parcels are zoned R-10, the largest minimum lot size allowed within the city limits. There are 117 parcels zoned R-10 that are three to five times the minimum lot size and 99 parcels more than five times the minimum lot size. The R-8 and R-6 zones also have a significant number of parcels where locating new units is a possibility. Overall, potentially 223 new units could be constructed on these partially vacant lots within the city limits, assuming one unit is added on lots three to five times the minimum lot size. An additional 961 new units could potentially be built on lots larger than five times the minimum lot size, assuming these parcels are built to 80 percent of the maximum allowable density for the zone.

As with vacant lands between the city limits and UGB, estimating the total number of new housing units possible on under-utilized parcels will depend on the zoning assigned when annexed. Assuming a R-8 zoning density, there are 236 parcels that would be at least three times the minimum lot size. There would be 81 lots between three and five times the minimum lot size and 155 parcel more than five times the minimum lot size. There is the potential for additional 81 units on parcels between three and five times the allowable lot size and potentially another 1,541 units on parcels larger than five times the allowable lot size.¹⁰

Within the entire UGB, there is the potential for 2,806 new units on partially vacant lots within the UGB.

⁹ Vacant parcels that would be designated for non-residential uses (such as Mixed-Use Employment) are not included in total acreage.

¹⁰ Partially vacant parcels that would be designated for non-residential uses (such as Mixed-Use Employment) are not included in total acreage.

Table 23. Vacant Residential Land by Zoning in Oregon City

Classification	Number of tax lots	Gross unconstrained Acreage	total Acreage >3/8 acres (.83) ¹¹	Less environmental constraints	Park, Schools and Churches Deduction (x.22)	Right of way deduction (x.15)	Gross vacant buildable acres	Max. Units per acre	Development on Parcels less than 3/8 Acres	Potential Dwelling Units (80 percent density)
Within the UGB										
LC ¹²	13	1.5	1.2	0.7	0.1	0.1	0.6	7.3	11	14
R-10	146	264.8	219.8	89.4	28.7	15.3	131.5	4.4	72	535
R-6	122	72.6	60.3	58.9	0.3	0.2	13.2	7.3	80	157
R-6/MH	8	38.8	32.2	2.7	6.5	3.5	26.2	6.4	2	136
R-8	92	35.4	29.4	11.3	4.0	2.1	18.0	5.5	73	152
RA-2	10	6.5	5.4	0.4	1.1	0.6	4.4	19.8	3	72
RC-4	10	2.8	2.3	1.1	0.3	0.1	1.3	10.9	9	20
RD-4	15	22.9	19.0	4.0	3.3	1.8	13.9	10.9	7	128
Subtotal	416	445.3	369.6	168.5	44.2	23.5	209.0		257	1,215
Between the City Limits and the UGB										
County	91	226.6	188.1	55.8	29.1	15.5	100.4	5.5	16	571
Total	507	671.9	557.6	224.3	73.3	39.0	336.6		273	1,787

Source: Clackamas County Assessors Office; Analysis by David Evans and Associates, Inc.

¹¹ The Oregon City Functional Compliance Plan (1999) determined that 83 percent of parcels in Oregon City are over 3/8 acres. Total acres were multiplied by .83 to remove parcels less than 3/8 of an acre, which are already assumed to be platted.

¹² 50 percent of gross vacant unconstrained acres is dedicated to residential uses. There are 2.9 acres of vacant LC land.

Table 24. Partially Vacant Residential Land by Zoning in Oregon City

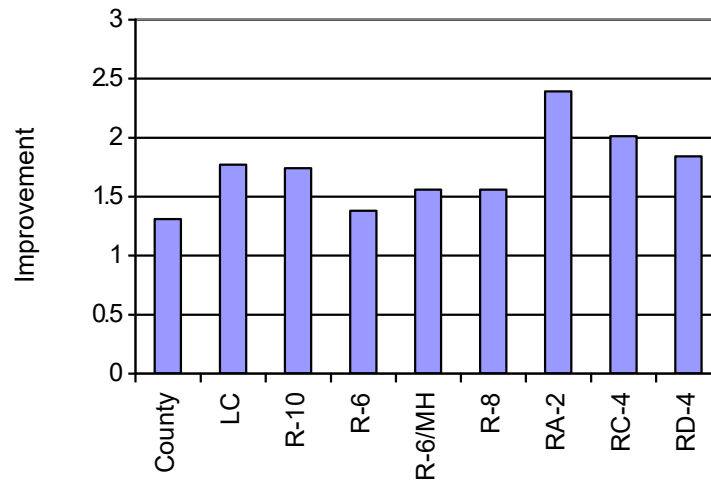
		For lots 5 times or larger the allowable size					Potential dwelling units (80 percent density) for all lots 5 times the lot size. One additional unit for lots 3-5 times the lot size
Classification	Tax lots 3 to 5 times minimum size	Total tax lots	Total Acres	Maximum Density	Constrained land	Right of way (15%)	
Within the UGB							
LC	0	0	0.0	7.3		0.0	0
R-10	117	99	238.7	4.4	53.1	27.8	672
R-6	60	25	33.2	7.3	19.7	2.0	127
R-6/MH	5	3	5.5	6.4	1.7	0.6	22
R-8	26	48	86.0	5.5	8.1	11.7	317
RA-2	0	1	2.3	19.8	0	0.3	31
RC-4	0	0	0.0	10.9	0	0.0	0
RD-4	15	0	0.0	10.9	0	0.0	15
Subtotal	223	176	365.7		82.6	42.5	1,184
Between the City Limits and the UGB							
County	81	155	470.3	5.5	58.4	61.8	1,622
Total	304	331	836.0		141.0	104.3	2,806

Source: Clackamas County Assessors Office, May 2002; Analysis by David Evans and Associates, Inc.

3.1.1.3 Potentially Redevelopable Land

Identification of parcels that could be redeveloped is based on the value of improvements compared to land value. The value of the structures and other improvements declines over the years if not properly maintained, and the potential for redeveloping the property increases. Figure 3 illustrates the average improvement values by residential zoning districts. Not surprisingly, improvement-to-land-value ratios are highest in zoning districts that allow denser development (RA-2, RC-4, and RD-4 zones). The RA-2 zone has the highest improvement-to-land-value ratio of any residential district. Conversely, less dense zones have lower improvement values, where one unit on a larger lot is the norm. Overall, average improvements in single-family residential zones are about 1.5 times the land value, with zones allowing higher density housing closer to two times the land value.

Parcels falling below the 1:1 building-to-land-value threshold could potentially be redeveloped with newer or higher density uses. However, just because the land is considered redevelopable does not ensure that change will actually occur. Table 25 shows the amount of potentially redevelopable land by zone. In Oregon City, there is less than one acre of land considered highly redevelopable and just over eight acres that have medium redevelopment potential. The majority of redevelopable parcels (about 90 percent) have a low potential and will likely stay in the same use as today. By far the majority of redevelopable parcels are within the R-6 zone, followed by the R-10 zone.

Figure 3. Improvement to Land Value Ratio for Residential Property

Source: Clackamas County Tax Assessor's Office (May 2002)

Table 25. Potentially Redevelopable Residential Land by Zoning in Oregon City

Redevelopment Potential Zoning District	Building to Land Value			Total Acres
	0-0.25 (High)	0.26-0.50 (Medium)	0.51-0.99 (Low)	
LC			0.8	0.8
R-10		1	23.5	24.5
R-6	0.8	6.9	48.7	56.4
R-6/MH			0.4	0.4
R-8				0
RA-2		0.3	0.3	0.6
RC-4		0.2	6.1	6.3
RD-4			3.0	3
Total	0.8	8.4	82.8	92

Source: Clackamas County Assessors Office; Analysis by David Evans and Associates, Inc.

3.2 Metro and Clackamas County Capacity Estimates/Land Need through 2017

Oregon City is required to determine its housing capacity within the city limits and outside of the city limits but within the UGB area that is still under Clackamas County jurisdiction. Table 26 shows the amount of expected growth in the region that Metro and Clackamas County believe Oregon City should accommodate and the projected housing capacity (using the current zoning) within the UGB to meet those targets. Within the city or UGB, Metro and Clackamas County estimated that Oregon City should expect to accommodate 9,940 additional units by 2017.

Oregon City has seen considerable growth since the projected capacity estimates were developed. Between 1994 and 1996, Oregon City determined by reviewing building permits that 1,446 units were built within the UGB. More recent permit data supplied by Metro showed an

additional 2,219 units constructed between 1996 and 2001. This development significantly reduces the dwelling units needed by 2017 to 6,075 units. However, there does not appear to be capacity to accommodate these units within the UGB. Full development of all vacant and partially vacant land would result in 4,593 new units, based on current zoning within the city and an overall R-8 density for county land within the UGB, missing the capacity target by 1,444 units.

Table 26. Capacity Analysis based on Metro and Clackamas County Capacity Estimates

Metro and Clackamas county dwelling unit target capacity	9,940
Credit for development (9/1/94-8/31/96)	(1,446)
Credit for development (8/31/96-Current)	(2,219)
Credit for projected accessory units	(142)
Credit for development on constrained land	(58)
Adjusted dwelling unit target	6,075
Estimated dwelling unit capacity on vacant land	(1,787)
Estimated dwelling unit capacity on partially vacant land	(2,806)
New dwelling units in manufactured home parks	(38)
Dwelling Unit Capacity Deficiency	1,444

These capacity estimates do not reflect plans to permit and encourage increased density in some areas (such as downtown), because the zoning to implement these higher densities is not yet in place. Currently, there is no housing within the downtown area and no land zoned specifically for housing, although the Oregon City Downtown Community Plan (1999) recommends several areas that could accommodate higher-density housing. If this plan is implemented, a considerable number of housing units could be accommodated in the core area of the city.

Oregon City's zoning for residential land within the city limits is primarily R-10 and R-8. This is larger than the average lot size recommended by Metro for urban areas (7,000 sq. ft). There is potential for more housing if zoning were changed and densities increased.

The number of units that could be developed on unincorporated land within the UGB depends on what zoning was assigned to each parcel when it was annexed into the city. Upon annexation, parcels are typically zoned R-10, the lowest density allowed within the city limits. For the purposes of these estimates, vacant county parcels were assumed to develop at an R-8 zoning density. However, some areas could be zoned at higher densities and accommodate additional units.

Underutilized land (or land that is not developed to the maximum allowed density by zoning) actually accounts for more acreage than vacant land in the unincorporated UGB. Underutilized land that is more than five times the allowable lot size was assumed to develop the same as vacant parcels, based on Oregon City's experience where new development on these larger lots is meeting at least 80 percent of the target density for the underlying zone. Redevelopable land is not included in the capacity analysis because of the limited amount of land considered to be highly redevelopable. The number of units that might be constructed would likely be negligible.

3.3 *Housing Mix Based on Demographics*

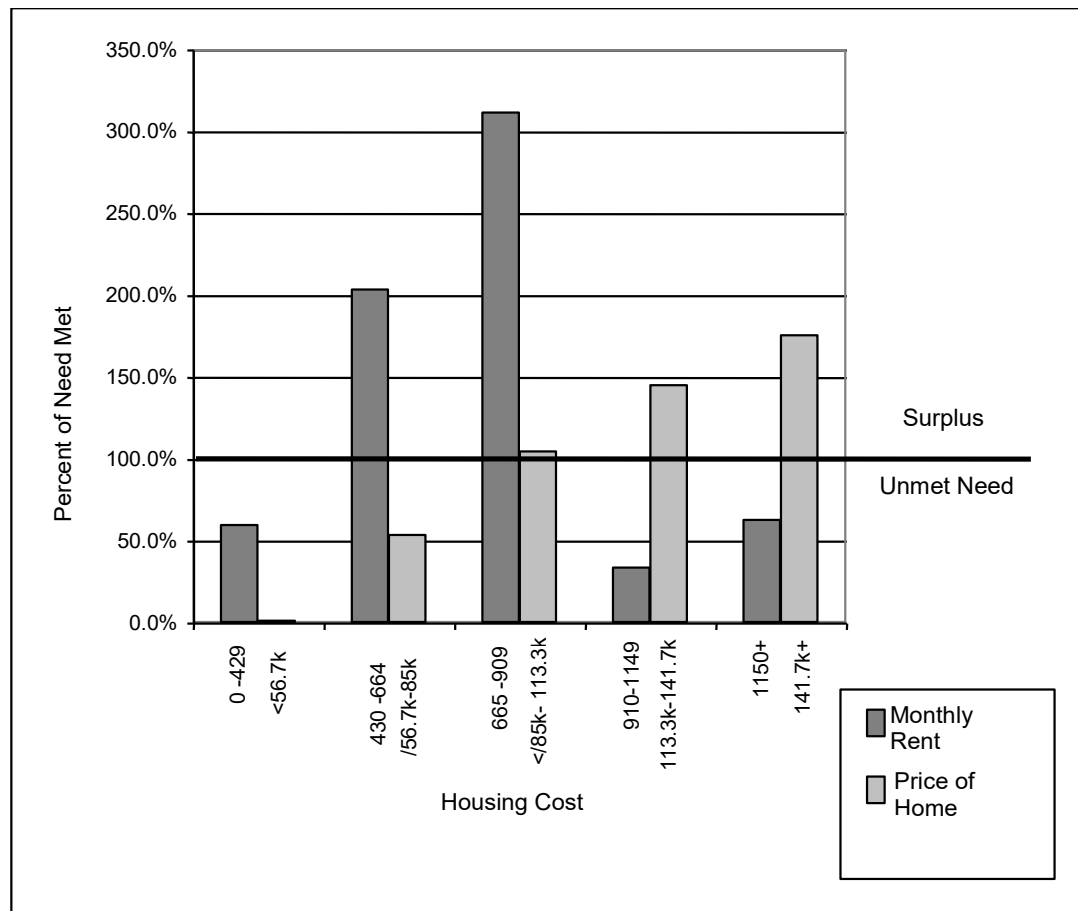
Metro and Clackamas County developed a dwelling unit target for Oregon City based on expected regional growth and the amount of vacant land available within the Oregon City UGB, shown in Table 26, not accounting for current and future socioeconomic conditions. While the target assumes that a variety of housing types will be required, it does not determine what the best housing mix would be and how much residents can afford to spend on housing.

The Oregon Department of Housing and Community Services (HCS) has developed a model that projects housing needs based on the existing housing stock, demographics and anticipated population growth. The model evaluates the existing housing units by structure type and cost, compares those units to local demographics, and estimates the current demand/supply by structure type and price point. The model requires knowledge of existing housing units, tenure, and cost. The existing housing inventory was used as the base for the model, while tenure and cost were extrapolated from the 2000 Census. The model assumes no more than 30 percent of household income is spent on rent or a mortgage.

Figure 4 shows the percentage of new housing units currently needed by price and tenure. According to the model, housing need is met for a particular price point if the existing housing stock meets 100 percent of the need. According to the model, Oregon City has a surplus of rental units in the mid price ranges with monthly rents between \$430 to \$909. The largest surplus is in the \$665 to \$909 rent ranges, where need is met by more than three times for that price range, creating a surplus of those units. Oregon City does not meet residents' needs for less expensive rental units or for units costing more than \$909 per month. The current housing stock meets just over 50 percent of the estimated need for units with rents less than \$429 per month and, for more expensive units, the existing rental stock meets approximately 50 percent of the estimated need.

In addition to rental needs, the model also estimates the need for owner-occupied units. The model shows a surplus of units costing more than \$113,300 with a greater surplus in units costing more than \$141,700. Oregon City's housing stock meets the city's needs for homes costing between \$85,000 and \$113,000, but only meets about 50 percent of housing needs for homes priced between \$56,700 and \$85,000.

Affordable housing is a concern for many Oregon City residents. The model shows just over one-percent of the need is currently met for homes costing less than \$56,700, which is not surprising considering a median sale price for homes in Oregon City of \$184,000. The number of homes in the low price range is extremely limited, and households that can only afford a home in this range would likely rent rather than buy. Households could afford to own a home only by spending a disproportionate amount on their mortgage payment. In this case, supplying more rental units than owner-occupied units is likely more realistic when comparing the current real estate market, high cost of land, and building materials.

Figure 4. Percentage of New Housing Units Needed by Housing Type for Oregon City

Source: Oregon Housing and Community Services 2002, David Evans and Associates, Inc. 2002

Assessing the current met/unmet needs is the first step in determining a future housing mix that will satisfy the projected population and demographic changes. Table 27 shows two housing mixes based on information gathered through the housing inventory and a projected housing density from the HCS model that would meet housing needs based on tenure and cost. Oregon City's current housing mix is about 80 percent single-family units and about 20 percent multifamily, although building permit data shows that the majority of new units (about 86 percent) are single-family detached homes. About 14 percent of the new units are multifamily dwellings.

The HCS model projects the density mix needed to meet Oregon City's housing needs, and has a higher percentage of units in multifamily than the current housing mix. The model projects a housing mix of about 75 percent single-family housing and about 25 percent multifamily units. The higher number of multifamily units is based on a current unmet need for low cost housing as well as higher priced units. There is a large unmet need for low cost housing for both owners and renters, but due to high housing prices, home ownership is not a realistic option. Most people who can only afford the most inexpensive housing are likely going to rent.

Table 27: Actual and Projected Housing Mix

Housing Type	Current Mix (Housing Inventory)	HCS Model (Projected Mix to Meet Housing Needs)
Single-family	81.4%	74.7%
Single-family	67.9%	63.9%
Duplex	5.9%	4.4%
Manufactured homes in parks	7.6%	6.4%
Multifamily	18.6%	25.3%
Total	100.0%	100.0%

The need for a higher percentage of multifamily units is illustrated in the demographic analysis completed in Section 2, Existing Conditions, the HCS projections showing a need for more affordable housing, and a Metro target capacity that supports higher density development. The majority of units will be single-family, but there is also a need for a higher percentage of units in multifamily uses.

3.4 Land Needs/Surplus by Housing Type

Table 28 shows the needed housing units by housing type and the need/surplus of existing vacant land within the Oregon City UGB. The target capacity for the Oregon City is 6,075 additional units (after reductions for units already constructed). Based on the adjusted target and housing mix recommended in the HCS model, Oregon City should accommodate 4,538 single-family units and 1,537 multifamily units (75 percent single-family and 25 percent multifamily).

The majority of these new units can be accommodated on vacant or partially vacant land within the UGB, but to meet the target capacity Oregon City would need to make some zone changes that increase density. Currently, vacant and partially vacant land zoned for single-family units can accommodate all single-family unit needs with room for over 4800 units, while existing multifamily zoned land could accommodate just 103 units. Therefore, some land should be rezoned to higher density uses to provide the necessary 1,434 units.

The need for higher density development within Oregon City, especially in the downtown area, has already been the focus of extensive planning efforts in an attempt to make downtown a more lively. Higher density developments can support businesses, including restaurants and entertainment businesses that cater to these new residents. The City has developed and adopted the “Oregon City Downtown Community Plan” that recommends mixed uses with 30 units per acre of housing. Other areas where higher density uses (than is currently permitted) may be appropriate are shown in Figure 5 and described in Table 29. Approximately 193 buildable acres would be rezoned; of that about 104 acres would be rezoned for multifamily uses, including a mixed-use area north of downtown.

Table 28. Housing Need/Surplus with Rezoned Areas

		Single-family, Manufactured in Parks, Duplexes	Multifamily	Total
Adjusted Metro Target (Table 26)	6,075			
Future Housing Mix (Table 27)		74.7%	25.3%	100.0%
<i>Metro Target using future housing mix</i>		<i>4,538</i>	<i>1,537</i>	<i>6,075</i>
		Single-family Zoning Districts ¹³	Multifamily Zoning District ¹⁴	Total
Potential New Units on Land within the UGB				
Vacant Land (Table 23)		1,715	72	1,787
Partially Vacant Land (Table 24)		2,775	31	2,806
New Units in Existing Manufactured Home Parks (Table 13)		38	0	38
Total New Units		4,528	103	4,631
Needed Units				
<i>(Need)/Surplus (New units-Metro Target Future Housing Mix)</i>		<i>(10)</i>	<i>(1,434)</i>	<i>(1,444)</i>
Potential New units on rezoned residential land (Table 29)		365	1,510	1,875
Total Units (needed)/surplus		355	76	431

Areas to be rezoned would accommodate primarily multifamily housing units, duplex townhomes and other higher density uses. Some rezoned areas would retain a single-family zoning but at a higher density (e.g. R-10 rezoned to R-8 or R-6). Multifamily housing would only be allowed in the RA-2 zone and in a future MUR zone recommended in the Downtown Plan. New multifamily uses are located in areas with existing multifamily uses or near activity centers, such as Clackamas Community College, and near major thoroughfares where more transportation options are available.

Oregon City meets nearly all land needs for single-family units, but needs more land for multifamily dwellings. Converting 107 acres of single-family land to multifamily uses would accommodate additional 1,510 units, or 76 units more than required. Other rezoned land (about 93 acres) would remain in single-family use but at a higher density. This would generate 365 additional units, or 355 units more than required. Together this would provide 1,875 units, which exceeds Metro's residential target capacity by 431 units.

¹³ Single-family zones include LC, R-10, R-8, R-6, R-6/MH, R-8, RC-4, RD-4, and County assumed with a density of R-8.

¹⁴ The only zone identified as multifamily is RA-2

Table 29. Potential Changes in Zoning to Meet Density Target

Area	Existing Zone	New Zone	New Comp. Plan Designation	Gross rezoned unconstrained Acreage	Total existing Units	Less env. constraints	PSC Deduction (x.22)	ROW deduction (x.15)	Total Deduction	Gross vacant buildable acres	Max. Units per acre for current zone	Max. Units per acre for new zone	Total new units
1	M-1	MUOR	MUOR	2.7	0	0.0	0.0	0.4	0.4	2.3	0.0	30	55
	M-2			11.7	0	0.0	0.0	1.8	1.8	9.9	0.0	30	239
	RC-4			0.2	3	0.0	0.0	0.0	0.1	0.1	0.0	30	3
	C			17.4	8	0.0	0.0	0.0	0.0	17.4	0.0	30	418
2	R-10	RD-4	MR	51.4	13	20.3	6.8	3.6	30.8	20.6	4.4	10.9	107
	R-6/MH			8.8	1	1.7	1.6	0.8	4.1	4.7	6.4	10.9	17
	County			35.0	0	0.4	7.6	4.0	12.1	22.9	5.5	10.9	99
	R-8			0.0	0	0.0	0.0	0.0	0.0	0.0	5.5	5.5	-
3	R-10	R-8	LR	30.3	13	17.2	2.9	1.5	21.6	8.7	4.4	5.5	8
	R-10			18.0	12	10.3	1.7	0.9	12.9	5.1	4.4	7.3	12
4	R-10	R-6	LR										
5	R-6	RD-4	MR	4.0	7	2.5	0.3	0.2	3.0	1.0	7.3	10.9	3
6	R-6	RA-2	HR	13.3	12	7.8	1.2	0.6	9.6	3.6	7.3	19.8	36
	R-10			6.4	0	4.3	0.5	0.2	5.0	1.4	4.4	19.8	17
	RA-2			4.4	2	0.0	1.0	0.5	1.5	2.9	19.8	19.8	-
7	R-6	RA-2	HR	12.6	15	0.2	2.7	1.5	4.4	8.2	7.3	19.8	82
	LO			2.0	41	0.0	0.0	0.3	0.3	1.7	19.8	19.8	-
	R-10			6.1	0	1.0	1.1	0.6	2.7	3.4	4.4	10.9	17
8	R-10	RD-4	MR	4.4	2	0.0	1.0	0.5	1.5	2.9	4.4	10.9	15
9	R-10	RD-4	MR										
10	R-10	R-8	LR	7.9	0	0.0	1.7	0.9	2.7	5.3	4.4	5.5	5
11	County	RA-2	HR	10.2	13	2.8	1.6	0.9	5.3	4.9	5.5	19.8	56
12	R-6	RD-4	MR	4.7	6	1.3	0.0	0.5	1.8	2.9	7.3	10.9	8
	R-10			5.7	7	0.4	1.2	0.6	2.1	3.5	4.4	10.9	18
13	R-10	RA-2	HR	10.4	5	1.1	2.0	1.1	4.2	6.2	4.4	19.8	76
14	R-10	RA-2	HR	19.8	3	0.0	4.4	2.3	6.7	13.1	4.4	19.8	162
15	R-10	RA-2	HR	20.1	6	3.3	3.7	2.0	8.9	11.2	4.4	19.8	138
16	LO	RA-2	HR	0.3	0	0.0	0.0	0.0	0.0	0.3	19.8	19.8	-
	R-10			14.5	9	1.6	2.8	1.5	5.9	8.6	4.4	19.8	105
	R-6/MH			4.1	3	0.0	0.9	0.5	1.4	2.7	6.4	19.8	29
	RD-4			19.9	69	0.0	4.4	2.3	6.7	13.2	10.9	19.8	94
17	County	MUE	MUE	84.9	No new residential units								
18	R-6	MUE	MUE	9.6									
19	R-10	RD-4	MR	6.1	1	0.1	1.3	0.7	2.1	4.0	4.4	10.9	21
20	R-6/MH	RD-4	MR	9.9	0	1.1	1.9	1.0	4.1	5.8	6.4	10.9	21
	R-10			3.9	1	0.0	0.9	0.5	1.3	2.6	4.4	10.9	13
	Total				252	77.3	55.3	32.4	165.1	201.2			1,875

Item 8a.

ORDINANCE NO. 21-1014

AN ORDINANCE OF THE CITY OF OREGON CITY AMENDING THE OREGON CITY COMPREHENSIVE PLAN BY REPEALING A 2002 HOUSING STUDY AND REPLACING IT WITH A 2021 HOUSING NEEDS ANALYSIS AS AN ANCILLARY DOCUMENT

WHEREAS, Oregon Revised Statutes (ORS) 197.175 requires cities to prepare, adopt, and implement comprehensive plans consistent with statewide planning goals adopted by the Land Conservation and Development Commission (LCDC); and

WHEREAS, Oregon Statewide Planning Goal 10 "Housing" is to provide for the housing needs of citizens of the state; and

WHEREAS, ORS 197.295-314 & 197.475-490 and Oregon Administrative Rules (OAR) division 660-008 implement Goal 10, and the administrative rule requires that cities have housing needs analyses to ensure opportunity for the provision of adequate numbers of needed housing units, the efficient use of buildable land within urban growth boundaries (UGBs), and to provide greater certainty in the development process so as to reduce housing costs.; and

WHEREAS, ORS 197.296 requires cities to establish a buildable lands inventory (BLI) as part of a housing needs analysis (HNA); and

WHEREAS, the the City's currently effective Comprehensive Plan includes an HNA that was completed in 2002 and adopted in 2004;

WHEREAS, the proposed HNA was subject to extensive public review, including being presented or noticed to a number of public advisory groups including the OC 2040 Project Advisory Team, an OC 2040 Summit, the OC 2040 website, a project website, a public notice, the Development Stakeholders Committee, Neighborhood Associations, the Citizen Involvement Committee, and a joint work session between the City Commission and the Planning Commission; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2021 and recommended adoption of the proposed HNA to the City Commission; and

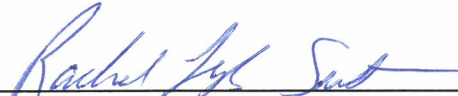
WHEREAS, the City Commission held a public hearing on November 3, 2021 and found that the proposed HNA complies with the applicable criteria for Legislative approval as discussed in the Staff Report and Recommended Findings for File LEG-21-00001.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The City of Oregon City Comprehensive Plan is amended to repeal and replace the 2002 Housing Study (adopted in 2004), and adopt a new Housing Needs Analysis as provided in attached Exhibit A.

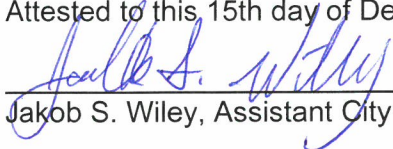
Section 2. The Commission adopts the Analysis and Findings for GLUA 21-00057 and LEG 21-00004 to explain how the HNA complies with applicable law and to justify the policy choices within the HNA.

Read for the first time at a regular meeting of the City Commission held on the 3rd day of November 2021, and the City Commission finally enacted the foregoing ordinance this 15th day of December 2021.



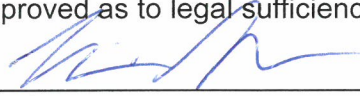
RACHEL LYLES SMITH, Mayor

Attested to this 15th day of December 2021



Jakob S. Wiley, Assistant City Recorder

Approved as to legal sufficiency:



City Attorney

Exhibit A – Housing Needs Analysis

City of Oregon City

2021–2041 Housing Needs Analysis

December 2021

Prepared for: City of Oregon City

Final Report

ECONorthwest
ECONOMICS • FINANCE • PLANNING

KOIN Center
222 SW Columbia Street
Suite 1600
Portland, OR 97201
503-222-6060

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Table of Contents

EXECUTIVE SUMMARY	I
1. INTRODUCTION	1
FRAMEWORK FOR A HOUSING NEEDS ANALYSIS	1
ORGANIZATION OF THIS REPORT	5
2. BUILDABLE LANDS INVENTORY	6
DEFINITIONS	6
DEVELOPMENT CONSTRAINTS	7
BUILDABLE LANDS INVENTORY RESULTS	8
3. HISTORICAL AND RECENT DEVELOPMENT TRENDS	14
DATA USED IN THIS ANALYSIS	15
TRENDS IN HOUSING MIX	17
TRENDS IN HOUSING DENSITY	18
TRENDS IN TENURE	19
VACANCY RATES	21
PUBLICLY SUPPORTED HOUSING	22
MANUFACTURED HOMES	23
4. DEMOGRAPHIC AND OTHER FACTORS AFFECTING RESIDENTIAL DEVELOPMENT IN OREGON CITY	24
DEMOGRAPHIC AND SOCIOECONOMIC FACTORS AFFECTING HOUSING CHOICE	25
REGIONAL AND LOCAL DEMOGRAPHIC TRENDS THAT MAY AFFECT HOUSING NEED IN OREGON CITY	36
REGIONAL AND LOCAL TRENDS AFFECTING HOUSING AFFORDABILITY	50
5. HOUSING NEED IN OREGON CITY	66
PROJECT NEW HOUSING UNITS NEEDED IN THE NEXT 20 YEARS	66
6. OREGON CITY'S RESIDENTIAL LAND SUFFICIENCY	77
CAPACITY ANALYSIS	77
RESIDENTIAL LAND SUFFICIENCY	79
FINDINGS AND RECOMMENDATIONS	80
APPENDIX A: BUILDABLE LANDS INVENTORY METHODOLOGY	83
METHODOLOGY	83

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Executive Summary

This report presents Oregon City's Housing Needs Analysis (HNA) for the 2021 to 2041 period. It is intended to comply with statewide planning policies that govern planning for housing and residential development, including Goal 10 (Housing), OAR 660 Division 7, and OAR 660 Division 8. The methods used for this study generally follow the *Planning for Residential Growth* guidebook, published by the Oregon Transportation and Growth Management Program (1996).

Oregon City is currently in the process of updating the city's Comprehensive Plan as part of the OC2040 Comprehensive Plan Update. Part of this process includes updating the Housing Element with recent information about Oregon City's housing market and forecasted housing needs, along with data on Oregon City's demographic and socioeconomic trends. In 2019, Oregon City participated in a preliminary housing needs analysis process through the development of the Clackamas County HNA. This report builds on the information presented for Oregon City in that project and provides updated data where necessary.

Oregon City grew from 14,968 people in 1990 to 35,570 people in 2019. This is an addition of 19,242 people or 131% growth. During the 2015 to 2020 period, median housing prices in Oregon City increased from about \$350,000 in 2015 to \$545,000 in 2021, a 55% increase consistent with sales price growth in Clackamas County. Rates of cost burden in Oregon City varied from 28% for homeowners and 50% for renters (35% of overall) in the 2012-2016 American Community Survey (ACS) 5-year estimate period.

This report provides Oregon City with a factual basis to update the City's Comprehensive Plan and zoning code, and to support future planning efforts related to housing as well as options for addressing unmet housing needs in Oregon City. This report provides information to inform future planning efforts, including development and redevelopment. This report provides the City with information about the housing market in Oregon City and describes the factors that will affect future housing demand in Oregon City, such as changing demographics. This analysis will help decision makers understand whether Oregon City has enough land to accommodate growth over the next 20 years.

What are the key housing needs in Oregon City?

- **Demographic and economic trends will drive demand for affordable and diverse housing in Oregon City.** Key demographic and economic trends affecting Oregon City's future housing needs are the aging of the baby boomers, the aging of the Millennials and Generation Z, and the continued growth in the Latino population and other communities of color.
- **Housing affordability is a growing challenge in Oregon City.** Housing affordability is a challenge in most of the Portland Metro region in general, and Oregon City is affected by these regional trends. Housing prices are increasing faster than incomes in Oregon City and Multnomah County, which is consistent with state and national challenges. Oregon City has a modest supply of multifamily housing with 5 or more units (about 13% of the city's housing stock), but half of renter households are cost burdened (50%). The households who are most likely to be cost burdened¹ are those with an income below 50% of Clackamas County's median family income (MFI) for a family of four (\$92,000).
 - Oregon City's key challenge over the next 20 years is providing opportunities for the development of relatively affordable housing (both for households with an income below 60% of MFI (\$55,200), who will need income-restricted housing, and for households with incomes of 60% to 120% of MFI (\$55,200 to \$110,000), who can afford some market-rate housing) of all types, such as lower-cost single-family housing, cottage, townhouses and duplexes, tri- and quadplexes, market-rate multifamily housing, and government-subsidized affordable multifamily housing.
- **Oregon City lacks enough housing that is affordable, both for renter and homeowners.** About 35% of Oregon City's households are cost burdened (paying 30% or more of their household income on housing costs). About 50% of Oregon City's **renters** are cost burdened and about 28% of Oregon City's **homeowners** are cost burdened. Oregon City's level of cost burden is similar to other communities in Clackamas County. Oregon City is one of the less affordable cities for homeownership in the Portland region, households at middle and high incomes (between \$74,000 to \$110,000) are less able to afford housing in Oregon City.
- **About 33% of Oregon City's households are renters, 58% of whom live in multifamily housing.** Median rents in Oregon City in 2021 are \$1,350 per month, compared to the \$1,426 median rent for Clackamas County as a whole.
 - A household earning 50% of Clackamas County's median family income (\$46,000) could afford about \$1,150 per month in rent, compared with the average effective rent of \$1,350. However, about 20% of Oregon City's housing stock is multifamily

¹ The Department of Housing and Urban Development's guidelines indicate that households paying more than 30% of their income on housing experience "cost burden," and households paying more than 50% of their income on housing experience "severe cost burden."

(including duplexes, triplexes and quadplexes), compared to 32% of the housing in the Portland Region. The comparatively small share of multifamily units may constrain opportunities to rent in Oregon City.

- **Housing sales prices increased in Oregon City over the last five years at a slightly faster rate than entire County.** A household earning 100% of Clackamas County's median family income could afford a home valued between about \$322,000 to \$368,000, which is less than the median home sales price of about \$545,000 in Oregon City. A household can start to afford median home sale prices at about 148% of Oregon City's median household income.

How much household growth is Oregon City planning for?

Oregon City's number of households within its city limits and UGB area (i.e., Planning Area) is projected to grow by over 7,435 households between 2021 and 2041, at an annual growth rate of 372 units per year.

Exhibit 1. Forecast of Household Growth, Oregon City Planning Area, 2021 to 2041

Source: Metro's 2050 Household Distributed Forecast, 2021.

14,778

Households in 2021

22,213

Households in 2041

7,435

New households 2021-2041

How much housing will Oregon City need?

The housing types used in this analysis are consistent with needed housing types as defined in ORS 197.303:

- **Single-family detached** includes single-family detached units, manufactured homes on lots and in mobile home parks, cottage clusters, and accessory dwelling units.
- **Single-family attached** is all structures with a common wall where each dwelling unit occupies a separate lot, such as row houses or townhouses.
- **Duplexes, Triplexes, and Quadplexes** are a subset of multifamily attached structures that contain two, three or four living units generally on the same lot.
- **Multifamily** is all other attached structures with five or more units, other than single-family detached units, manufactured units, duplexes, triplexes, quadplexes, or single-family attached units.

To accommodate the city's forecasted household growth, Oregon City needs to plan for 7,435 new dwelling units between 2021 and 2041. About 3,717 units of new housing will be single-family detached (50%); 1,487 units of new housing will be single-family attached (20%); 744 units of new housing will be duplexes, triplexes, or quadplexes (10%); and about 1,487 units will be multifamily housing with five or more units per structure (30%).

How much land will be required for housing?

In total, Oregon City is forecast to grow by 7,435 dwelling units and has capacity for 7,266 dwelling units. Exhibit 2 shows a comparison of Oregon City's land capacity within the planning area with demand for new units by plan designation. It shows that Oregon City has no surplus or deficit of capacity in the low and medium density residential and mixed-use plan designations, and a deficit of 169 dwelling units (or 8 acres) of high density residential land.

Exhibit 2. Comparison of Capacity of Existing Residential and Selected Commercial Land with Demand for New Dwelling Units and Land Surplus or Deficit, Oregon City Planning Area, 2021 to 2041

Source: Buildable Lands Inventory; Calculations by ECONorthwest.

Plan Designation	Capacity (Dwelling Units)	Demand (Dwelling Units)	Comparison (Capacity minus Demand)	Land Surplus or Deficit (Gross Acres)
Low Density Residential	2,116	2,116	0	0
Medium Density Residential	3,159	3,159	0	0
High Density Residential	1,108	1,277	(169)	(8)
Mixed Use	883	883	0	0
Total	7,266	7,435		

What are the key findings of the Housing Needs Analysis?

The key findings of the Oregon City Housing Needs Analysis are that:

- **Finding: Growth in housing will be driven by growth in households.** The number of households in Oregon City's Planning Area is forecast to grow from 14,778 households to 22,213 households, an increase of 7,435 households between 2021 and 2041.
- **Finding: Oregon City is planning for growth of 7,435 new dwelling units.** To accommodate the 7,435 dwelling units over the 20-year planning period, Oregon City will average 372 new dwelling units annually, and will plan for more single-family attached and multifamily dwelling units in the future to meet the city's housing needs. Historically, about 73% of Oregon City's housing was single-family detached. New housing in Oregon City is forecast to be 50% single-family detached, 20% single-family attached, 10% duplexes, triplexes, and quadplexes, and 20% multifamily. This housing mix both meets the requirements for housing mix for cities in Metro (OAC 660-007) and is supported by the changes in the housing market described below.

The factors driving the shift in types of housing needed in Oregon City include changes in demographics and decreases in housing affordability. The aging of senior populations and the household formation of young adults will drive demand for renter and owner-occupied housing, such as small single-family detached housing, townhouses, duplexes, and apartments/condominiums. Both groups may prefer housing in walkable neighborhoods, with access to services.

- **Recommendation:** Oregon City should monitor land available in all plan designations, as there is no surplus (or deficit) of land in the low and medium density residential plan designations. Additionally, the City may look for opportunities for redevelopment on underutilized land to address the deficit of high density residential land and limited capacity of mixed use land.
- **Oregon City is meeting Metro's requirements for net density and housing mix.** OAR 660-007-0035 sets specific density targets for cities in the Metro UGB. Oregon City's average density target is eight dwelling units per net buildable acre. Based on the findings in Chapter 6, Oregon City is exceeding this average density target at an average net density of 9.5 dwelling units per net acre.

OAR 660-007 also requires that cities within the Metro UGB "provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing." Chapter 5 shows that for the 2021-2041 planning period Oregon City is assuming that 20% of new dwelling units will be single-family attached, 10% of new units will be duplexes, triplexes, or quadplexes, and 20% of new units will be multifamily.

- **Recommendation:** Oregon City should continue to monitor future development to evaluate resulting densities and housing mix in comparison to the planned units described in this report.

- **Finding: Oregon City has unmet need for affordable housing.** About 34% of Oregon City's households are cost burdened, with 50% of renters cost burdened and 28% of owners cost burdened. Oregon City's level of cost burden is similar to other communities in Clackamas County. Oregon City's unmet housing needs include:

Renter housing. The average asking rent for multifamily housing in Oregon City in 2021 was about \$1,350, which is affordable to households earning about 60% of the median family income (about \$55,200). About one-third of Oregon City's households have incomes below this level and cannot afford the average rent. As shown in the rates of cost burden, many of these renter households are cost burdened. Oregon City will continue to have unmet renter housing needs, both for existing households and for new households.

Owner-occupied housing. The median home sales price in April 2021 was about \$545,000, which is affordable to households earning about 148% of the median family income (about \$136,300). Oregon City is one of the less affordable cities for homeownership in the Portland region, households at middle and high incomes (between \$74,000 to \$110,000) are less able to afford housing in Oregon City. One way to increase the supply of affordable owner-occupied housing is to increase opportunities for development of the middle-income housing described above.

- **Recommendation:** Without diversification of housing types, lack of affordability will continue to be a problem, possibly growing in the future if incomes continue to grow at a slower rate than housing costs. Under the current conditions, 1,545 of the forecasted new households will have incomes of \$46,000 (in 2020 dollars) or less (50% of MFI income or less). These households cannot afford market-rate housing without government subsidy. Another 1,228 new households will have incomes between \$46,000 and \$74,000 (50% to 80% of MFI).

Oregon City will need to provide opportunities for affordable housing development for both rental and ownership over the 20-year period, and the City should look for opportunities for affordable housing development for all housing types.

- **Finding: Oregon City will need to meet the requirements of House Bill 2001.** The legislature passed House Bill 2001 in the 2019 Legislative Session. The bill requires cities within the Metro UGB to allow "middle" housing types in low-density residential zones. The bill defines middle housing types as duplexes, triplexes, quadplexes, cottage clusters, and townhouses.
- **Recommendation:** The City should continue the process of developing and adopting zoning code to comply with these requirements.
- **Finding: Oregon City is currently in the process of a Comprehensive Plan Update.** This 2021 HNA report presents updated information related to Oregon City's Housing

Element of the Comprehensive Plan. Additionally, changes in Oregon City's demographics have presented a need for a greater variety of housing types. In 2019, Oregon City participated in a preliminary housing needs analysis process through the development of the Clackamas County Housing Needs Analysis. This report builds on the information presented for Oregon City in that project and provides updated data where necessary.

- **Recommendation:** Oregon City should adopt this HNA report as an appendix to the Comprehensive Plan. HB 2003 requires that Oregon City update its HNA every six years to analyze what housing is needed for current and future residents for a 20-year period.

Oregon City has identified a project to start within a year to look at non-zoning strategies to support the development of housing (including affordable housing). This initial study will allow the consideration of additional tools and partnerships in advance of a Housing Production Strategy (HPS) according to the guidance in HB 2003. An HPS includes consideration of additional information about the housing needs of underserved communities and engagement with underserved communities about potential approaches to meeting their needs.

1. Introduction

This report presents Oregon City's Housing Needs Analysis (HNA) for the 2021 to 2041 period. It is intended to comply with statewide planning policies that govern planning for housing and residential development, including Goal 10 (Housing), OAR 660 Division 7, and OAR 660 Division 8. The methods used for this study generally follow the *Planning for Residential Growth* guidebook, published by the Oregon Transportation and Growth Management Program (1996).

Oregon City is currently in the process of updating the city's Comprehensive Plan as part of the OC2040 Comprehensive Plan Update. Part of this process includes updating the Housing Element with recent information about Oregon City's housing market and forecasted housing needs, along with data on Oregon City's demographic and socioeconomic trends. In 2019, Oregon City participated in a preliminary housing needs analysis process through the development of the Clackamas County HNA. This report builds on the information presented for Oregon City in that project and provides updated data where necessary.

This document presents a forecast of housing growth in Oregon City for the 2021 to 2041 period. Oregon City will be required to update this analysis in six years, by December 31, 2027, per the requirements of OAR 660-008. The information in this report is intended to provide Oregon City with a factual basis to update the Housing Element of the City's Comprehensive Plan and Development Code and support future planning efforts related to housing and options for addressing unmet housing needs in Oregon City. This report provides information that informs future planning efforts, including development and redevelopment. It provides the City with information about the housing market in Oregon City and describes the factors that will affect future housing demand in Oregon City, such as changing demographics. This analysis will help decision makers understand whether Oregon City has enough land to accommodate growth over the next 20 years.

Framework for a Housing Needs Analysis

Economists view housing as a bundle of services for which people are willing to pay, including shelter, proximity to other attractions (job, shopping, parks and recreation), amenities (type and quality of fixtures and appliances, landscaping, views), prestige, and access to a range of services (i.e., public, medical, transportation). Because it is impossible to maximize all these services and simultaneously minimize costs, households must, and do, make trade-offs. What they can get for their money is influenced both by economic forces and government policy. Moreover, different households will value what they can get differently. They will have different preferences, which in turn are a function of many factors like income, age of head of household, number of people and children in the household, number of workers and job locations, number of transportation vehicles, and so on.

Thus, housing choices of individual households are influenced in complex ways by dozens of factors. The housing markets in Clackamas County and Oregon City are the result of the individual decisions of thousands of households. These points help to underscore the

complexity of projecting what types of housing will be built in Oregon City between 2021 and 2041. These housing types include single-family detached, single-family attached, and multifamily (including duplexes, triplexes, and quadplexes, in addition to buildings with more than five units). This report discusses these housing types in detail, as well as the range of affordability issues that will affect Oregon City households in the 2021 to 2041 period.

The complex nature of the housing market, demonstrated by the unprecedented boom-and-bust during the past decade, does not eliminate the need for some type of forecast of future housing demand and need. This includes resulting implications for land demand and consumption. Such forecasts are inherently uncertain. Their usefulness for public policy often derives more from the explanation of their underlying assumptions about the dynamics of markets and policies than from the specific estimates of future demand and need. Thus, we start our housing analysis with a framework for thinking about housing and residential markets and how public policy affects those markets.

Statewide Planning Goal 10

The passage of the Oregon Land Use Planning Act of 1974 (ORS Chapter 197) established the Land Conservation and Development Commission (LCDC) and the Department of Land Conservation and Development (DLCD). The Act required the Commission to develop and adopt a set of statewide planning goals. Goal 10 addresses housing in Oregon and provides guidelines for local governments to follow in developing their local comprehensive land use plans and implementing policies.

At a minimum, local housing policies must meet the requirements of Goal 10 and the statutes and administrative rules that implement it (ORS 197.295 to 197.314, ORS 197.475 to 197.490, and OAR 600-008).² Goal 10 requires incorporated cities to complete an inventory of buildable residential lands. Goal 10 also requires cities to encourage the numbers of housing units in price and rent ranges commensurate with the financial capabilities of its households. Jurisdictions located in the Metro Urban Growth Boundary (UGB) are also required to comply with Metropolitan Housing in OAR 660-007 and Title 7 of Metro's Urban Growth Management Functional Plan in the Metro Code (3.07 Title 7).

Goal 10, through ORS 197.303, defines needed housing types as "all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the city with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes." ORS 197.303 defines needed housing types:

- (a) Housing that includes, but is not limited to, attached and detached single-family housing and multiple family housing for both owner and renter occupancy.

² ORS 197.296 only applies to cities with populations over 25,000.

- (b) Government-assisted housing.³
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490.
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions.
- (e) Housing for farmworkers.

Oregon City must identify needs for all of the housing types listed above as well as adopt policies that increase the likelihood that needed housing types will be developed. This housing needs analysis was developed to meet the requirements of Goal 10 and its implementing administrative rules and statutes.

The Metropolitan Housing Rule

OAR 660-007 (the Metropolitan Housing rule) is designed to “assure opportunity for the provision of adequate numbers of needed housing units and the efficient use of land within the Metropolitan Portland (Metro) urban growth boundary.” OAR 660-0070-005(12) provides a Metro-specific definition of needed housing:

"Needed Housing" defined. Until the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing" means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels.

The Metropolitan Housing Rule also requires cities to develop residential plan designations:

(1) Plan designations that allow or require residential uses shall be assigned to all buildable land. Such designations may allow nonresidential uses as well as residential uses. Such designations may be considered to be "residential plan designations" for the purposes of this division. The plan designations assigned to buildable land shall be specific so as to accommodate the varying housing types and densities identified in OAR 660-007-0030 through 660-007-0037.

OAR 660-007 also specifies the mix and density of new residential construction for cities within the Metro UGB:

“Provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing or justify an alternative percentage based on changing circumstances” (OAR 660-007-0030 (1).

OAR 660-007-0035 sets specific density targets for cities in the Metro UGB. Oregon City’s average density target is eight dwelling units per net buildable acre.⁴

³ Government assisted housing can be any housing type listed in ORS 197.303 (a), (c), or (d).

⁴ OAR 660-024-0010(6) defines net buildable acres as “43,560 square feet of residentially designated buildable land after excluding future rights-of-way for streets and roads.”

Metro Urban Growth Management Functional Plan

The Metro Urban Growth Management Functional Plan describes the policies that guide development for cities within the Metro UGB to implement the goals in the Metro 2040 Plan.

Title 1: Housing Capacity

Title 1 of Metro's Urban Growth Management Functional Plan is intended to promote efficient land use within the Metro UGB by increasing the capacity to accommodate housing capacity. Each city is required to determine its housing capacity based on the minimum number of dwelling units allowed in each zoning district that allows residential development and maintain this capacity.

Title 1 requires that a city adopt minimum residential development density standards by March 2011. If the jurisdiction did not adopt a minimum density by March 2011, the jurisdiction must adopt a minimum density that is at least 80% of the maximum density.

Title 1 provides measures to decrease development capacity in selected areas by transferring the capacity to other areas of the community. This may be approved as long as the community's overall capacity is not reduced.

Metro's 2017 *Compliance Report* concludes that Oregon City is in compliance for the City's Title 1 responsibilities.

Title 7: Housing Choice

Title 7 of Metro's Urban Growth Management Functional Plan is designed to ensure the production of affordable housing in the Metro UGB. Each city and county within the Metro region is encouraged to voluntarily adopt an affordable housing production goal.

Each jurisdiction within the Metro region is required to ensure that their comprehensive plans and implementing ordinances include strategies to:

- Ensure the production of a diverse range of housing types;
- Maintain the existing supply of affordable housing, increase opportunities for new affordable housing dispersed throughout their boundaries; and
- Increase opportunities for households of all income levels to live in affordable housing (3.07.730).

Metro's 2017 *Compliance Report* concludes that Oregon City is in compliance for the City's Title 7 responsibilities.

Title 11: Planning for New Urban Areas

Title 11 of Metro's Urban Growth Management Functional Plan provides guidance on the conversion of land from rural to urban uses. Land brought into the Metro UGB is subject to the

provisions of section 3.07.1130 of the Metro Code, which requires lands to be maintained at rural densities until the completion of a concept plan and annexation into the municipal boundary.

The concept plan requirements directly related to residential development are to prepare a plan that includes:

- (1) A mix and intensity of uses that make efficient use of public systems and facilities;
- (2) A range of housing for different types, tenure, and prices that addresses the housing needs of the governing city; and
- (3) Identify goals and strategies to meet the housing needs for the governing city in the expansion area.

Organization of This Report

The rest of this document is organized as follows:

- **Chapter 2. Residential Buildable Lands Inventory** presents the methodology and results of Oregon City's inventory of residential land.
- **Chapter 3. Historical and Recent Development Trends** summarizes the state, regional, and local housing market trends affecting Oregon City's housing market.
- **Chapter 4. Demographic and Other Factors Affecting Residential Development in Oregon City** presents factors that affect housing need in Oregon City, focusing on the key determinants of housing need: age, income, and household composition. This chapter also describes housing affordability in Oregon City relative to the larger region.
- **Chapter 5. Housing Need in Oregon City** presents the forecast for housing growth in Oregon City, describing housing need by density ranges and income levels.
- **Chapter 6. Oregon City's Residential Land Sufficiency** estimates Oregon City's residential land sufficiency needed to accommodate expected growth over the planning period.

2. Buildable Lands Inventory

This chapter provides a summary of the residential buildable lands inventory (BLI) for Oregon City. This buildable lands inventory analysis complies with statewide planning Goal 10 policies that govern planning for residential uses. The detailed methodology used to complete the buildable lands inventory is presented in Appendix A.

Oregon Administrative Rules provide guidance on conducting residential BLIs:

OAR 660-008-0005(2):

“Buildable Land” means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses. Land is generally considered “suitable and available” unless it:

- (a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7;*
- (b) Is subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18;*
- (c) Has slopes of 25 percent or greater;*
- (d) Is within the 100-year flood plain; or*
- (e) Cannot be provided with public facilities.*

First, the analysis established the residential land base (parcels or portion of parcels with appropriate zoning), then it classified parcels by buildable status, identified/deducted environmental constraints, and lastly summarized total buildable area by plan designation. The results of the BLI presented in this chapter reflect updates since the 2019 analysis completed for Oregon City as part of the Clackamas County Regional Housing Need Analysis.

Definitions

ECONorthwest completed the BLI for Oregon City and relied on the following key definitions. Detailed descriptions of these definitions are included in the methodology for each study area but are based on the general definitions below.

- **Vacant land.** Tax lots that have no structures or have buildings with very little improvement value are considered vacant. The status of vacant lots was verified in aerial imagery and City and County staff review.
- **Partially vacant land.** Partially vacant tax lots are those occupied by a use, but which contain enough land to be developed further. Generally, these are lots that have more

than a half-acre of buildable land, after removing constraints and developed land from the total acreage. This was refined through visual inspection of recent aerial photos.

- **Public land.** Lands in public ownership are considered unavailable for residential development.⁵ This includes lands in federal, state, county, or city ownership. These lands are identified using Metro's definitions and categories.
- **Developed land.** Lands not classified as vacant, partially vacant, or public are considered developed. Developed land includes lots with redevelopment capacity, which are also included in BLI. The unit capacity of redevelopable lots is based on Metro's estimates.
- **Buildable land.** As described in the statute definition above, buildable residential land is the portions of vacant or partially vacant lots that have development capacity, less development constraints.

Development Constraints

Consistent with state guidance on buildable lands inventories, ECONorthwest deducted the following constraints from the buildable lands inventory and classified those portions of tax lots that fall within the following areas as constrained, unbuildable land:

- *Lands within floodplains and floodways.* Flood Insurance Rate Maps from the Federal Emergency Management Agency (FEMA) were used to identify lands in floodways and 100-year floodplains, as well as lands identified in Metro's Title 3 Stream and Floodplain Protection Plan.
- *Land within natural resource protection areas.* The combined regional and national wetlands shapefile, available from Metro RLIS, was used to identify areas within wetlands. Riparian corridors and other natural resource areas identified in Oregon City's Natural Resource Overlay District were considered undevelopable for the purposes of this inventory.
- *Land with slopes over 25%.* Lands with slopes over 25% were considered unsuitable for residential development.
- *Land in geologic hazard areas.* Lands in areas designated within Oregon City's Geologic Hazards Overlay were considered undevelopable for the purposes of this inventory.

⁵ Other exempt lands owned by semi-public entities, such as churches, private schools, and other non-profit organizations, were not included in the Public land classification. These lands were classified using the same method as other residential lands and were classified as vacant, partially vacant, developed, or unbuildable. Lands with a cemetery use and owned by a semi-public entity (e.g., church) were classified as developed.

Buildable Lands Inventory Results

Land Base

The land base for the Oregon City residential BLI includes all tax lots in the city limits and the city's UGB areas in residential plan designations. Per Goal 10, this includes all lots (or portions of lots) with residential and other nonemployment plan designations where residential uses are planned for and allowed by the implementing zones. This BLI includes lands in the following generalized plan designations:

- Residential – Low Density
- Residential – Medium Density
- Residential – High Density
- Mixed Use – Corridor
- Mixed Use – Downtown
- General Commercial

Exhibit 3 shows the land base by generalized plan designation in city limits and UGB areas. There are 12,350 tax lots in the land base, accounting for 5,206 acres.

Exhibit 3. Residential Tax Lots and Acres by Plan Designation, Oregon City, City Limits and UGB Areas, 2020

Source: Metro BLI; ECONorthwest analysis.

Generalized Plan Designation	Number of taxlots	Percent	Total taxlot acreage	Percent
Residential				
Residential - Low Density	9,528	77%	3,206	62%
Residential - Medium Density	1,379	11%	1,006	19%
Residential - High Density	606	5%	294	6%
Mixed Use/Commercial				
Mixed Use - Corridor	501	4%	267	5%
Mixed Use - Downtown	265	2%	300	6%
General Commercial	71	1%	133	3%
Total	12,350	100%	5,206	100%

Development Status

This analysis relied on Metro BLI's classifications (defined in the methods and definitions above) to define an initial development status. ECONorthwest then used a rapid visual assessment method to confirm this development status using aerial imagery. After city staff reviewed the classifications, ECONorthwest applied the development constraints to calculate unconstrained buildable land. Exhibit 4 shows development status with constraints applied and resulting in buildable acres. Of the 5,206 total acres in the land base, 2,710 are committed acres, 1,563 are constrained acres, and 933 are buildable acres.

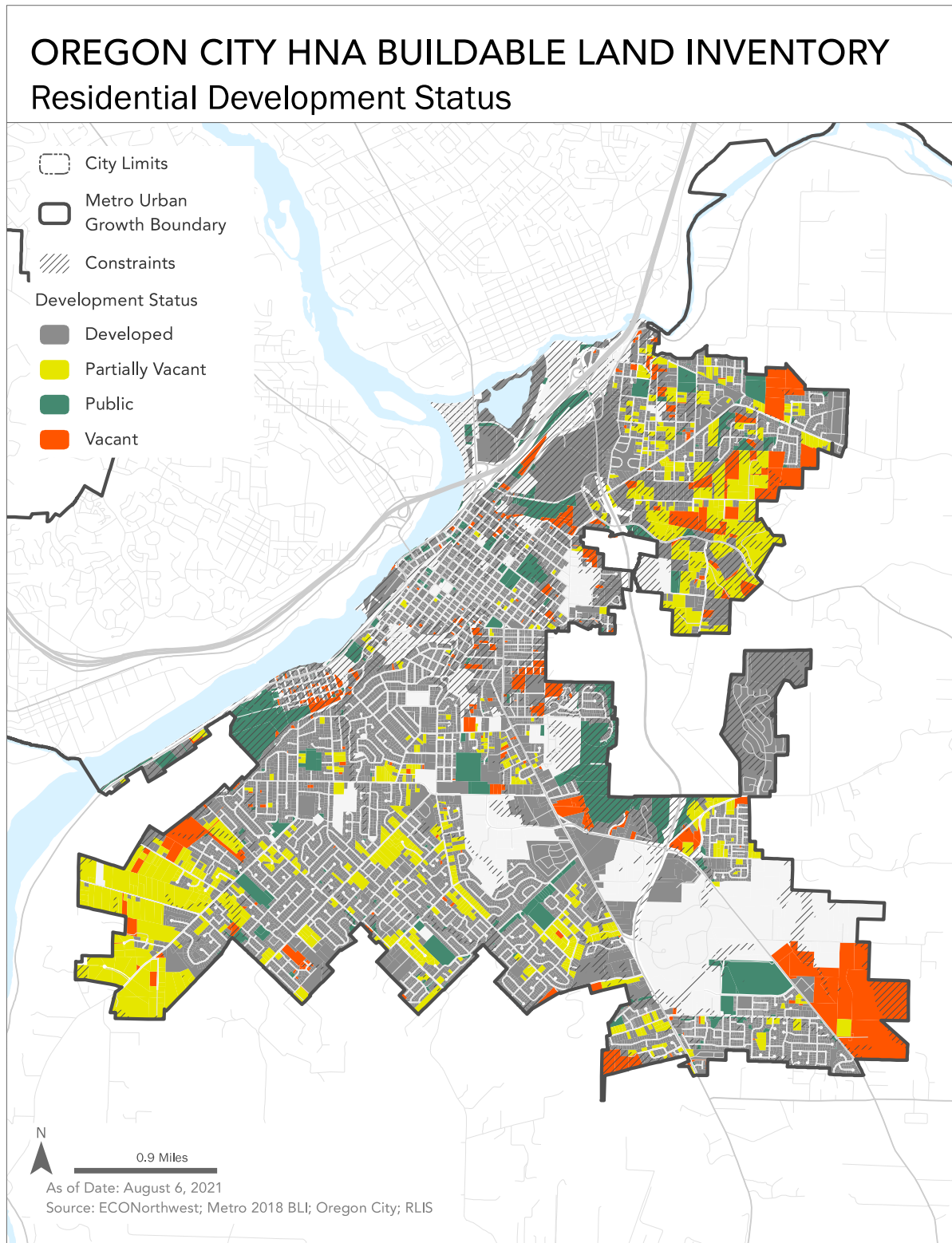
Exhibit 4. Development Status with Constraints by Plan Designation, Oregon City, City Limits and UGB Areas, 2020

Source: Metro BLI; ECONorthwest analysis.

Generalized Plan Designation	Total Acres	Committed Acres	Constrained Acres	Buildable Acres
Residential				
Residential - Low Density	3,206	1,876	877	453
Residential - Medium Density	1,006	388	276	342
Residential - High Density	294	151	81	62
Mixed Use				
Mixed Use - Corridor	267	137	55	75
Mixed Use - Downtown	300	37	262	1
General Commercial	133	121	12	-
Total	5,206	2,710	1,563	933

Exhibit 5 shows residential land by development status with constraints overlaid.

Exhibit 5. Residential Land by Development Status, Oregon City, City Limits and UGB Areas, 2020



Vacant Buildable Land

Exhibit 6 shows buildable acres (i.e., acres in tax lots after constraints are deducted) for vacant and partially vacant land by plan designation. Of Oregon City's 933 unconstrained buildable residential acres, about 36% are in tax lots classified as vacant and 64% are in tax lots classified as partially vacant.

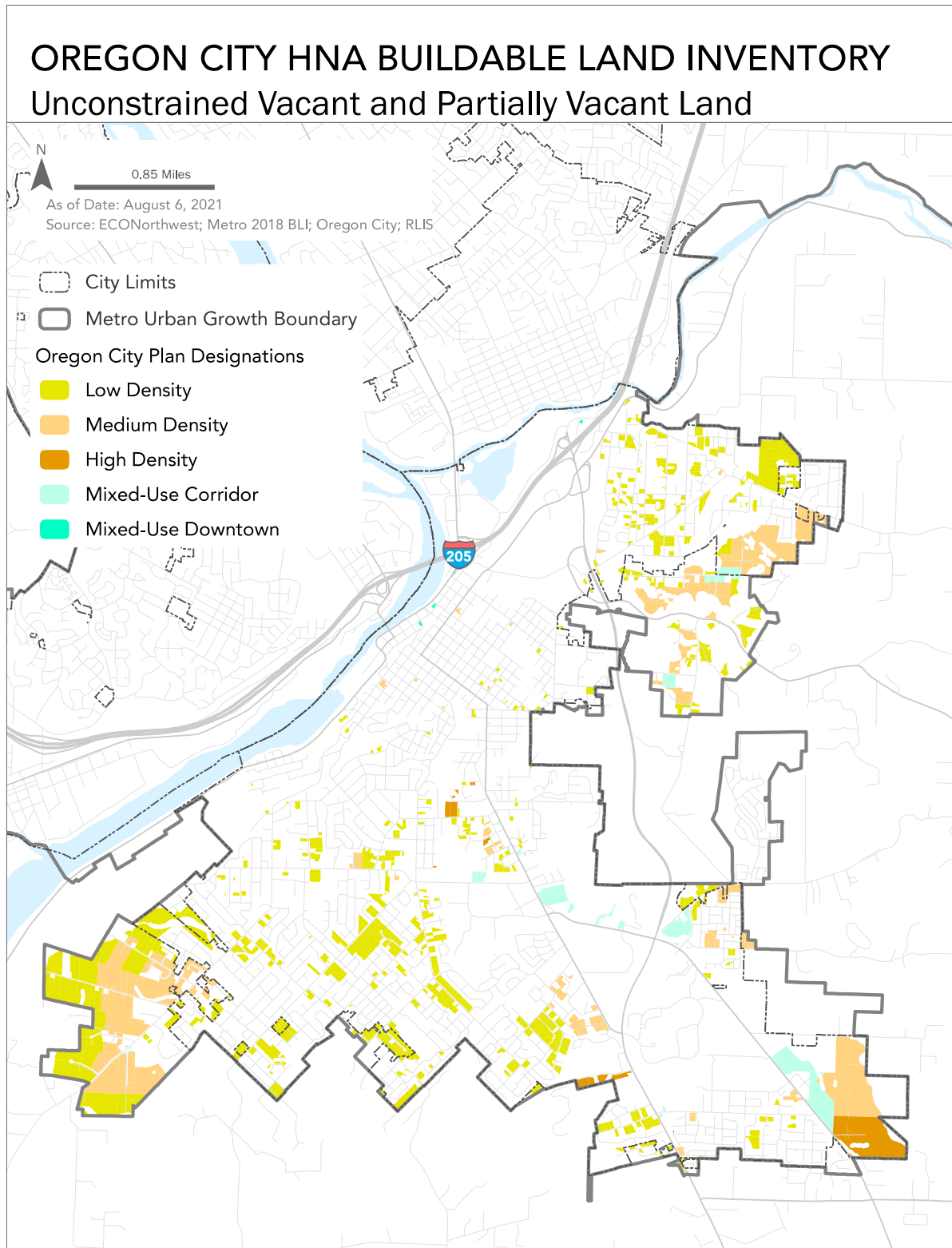
Exhibit 6. Buildable Acres in Vacant and Partially Vacant Tax Lots by Plan Designation, Oregon City, City Limits and UGB Areas, 2020

Source: Metro; ECONorthwest analysis.

Generalized Plan Designation	Buildable Acres on Vacant Lots	Buildable Acres on Partially Vacant Lots	Total Buildable Acres
Residential			
Residential - Low Density	97	356	453
Residential - Medium Density	120	222	342
Residential - High Density	52	10	62
Mixed Use			
Mixed Use - Corridor	63	12	75
Mixed Use - Downtown	1	-	1
Total	333	600	933

Exhibit 7 shows Oregon City's buildable vacant and partially vacant residential land.

Exhibit 7. Unconstrained Vacant and Partially Vacant Residential Land, Oregon City, City Limits and UGB Areas, 2020



Redevelopment Potential

Over the 20-year study period a share of developed lots is likely to redevelop within new buildings. To account for the development capacity on these developed lots, Metro identifies a subset of developed lots as “redevelopable.” Metro has created two “filters” to identify lots with the potential to redevelop—a threshold method and historic probability method. For the Oregon City BLI, ECONorthwest used the estimate of redevelopable units on developed lots, as identified based on the threshold method,⁶ which is based on discussion with Metro staff.⁷

The result of this analysis for Oregon City is presented in Exhibit 8.

Exhibit 8. Estimate of housing units on potentially redevelopable lots by plan designation, Oregon City, City Limits and UGB Areas, 2019

Source: Metro BLI, using 2016 data to calculate redevelopment potential.

Plan Designation	Estimated Redevelopment Units
Residential	
Low Density Residential	660
Medium Density Residential	233
High Density Residential	733
Commercial	
Central Commercial	1,496
General Commercial	2,604
Total	5,726

⁶ Threshold Method. This method identifies lots where redevelopment would result in a net increase of 50% more than the current number of units on the site. The method uses property value thresholds where it is economically viable to for a lot to redevelop at this intensity. For suburban areas in the regional UGB the threshold is \$10 per square foot of property value for multifamily structures and \$12 per square foot for mixed use structures. If a lot's current property value is below these thresholds, it is assumed to have the potential to redevelop.

⁷ The capacity of partially vacant lots (where the lot could be further developed under current development standards without demolishing existing structures) is accounted for in the unconstrained buildable acres.

3. Historical and Recent Development Trends

Analysis of historical development trends in Oregon City provides insight into the functioning of the local housing market. The mix of housing types and densities, in particular, are key variables in forecasting the capacity of residential land to accommodate new housing and to forecast future land need. The specific steps are described in Task 2 of the *DLCD Planning for Residential Growth: A Workbook for Oregon's Urban Areas* as:

1. Determine the time period for which the data will be analyzed.
2. Identify types of housing to address (all needed housing types).
3. Evaluate permit/subdivision data to calculate the actual mix, average actual gross density, and average actual net density of all housing types.

This Housing Needs Analysis examines changes in Oregon City's housing market from 2000 to 2017, as well as residential development from 2000 to 2018. We selected this time period because (1) the period provides information about Oregon City's housing market before and after the national housing market bubble's growth and deflation, as well as the more recent increase in housing costs and (2) data about Oregon City's housing market during this period was readily available from sources such as the Census and RLIS.

The Housing Needs Analysis presents information about residential development by housing type. There are multiple ways that housing types can be grouped. For example, they can be grouped by:

1. Structure type (e.g., single-family detached, apartments, etc.).
2. Tenure (e.g., distinguishing unit type by owner or renter units).
3. Housing affordability (e.g., subsidized housing or units affordable at given income levels).
4. Some combination of these categories.

For the purposes of this study, we grouped housing types based on (1) whether the structure is stand-alone or attached to another structure and (2) the number of dwelling units in each structure. The housing types used in this analysis are consistent with needed housing types as defined in ORS 197.303:

- **Single-family detached** includes single-family detached units, manufactured homes on lots and in mobile home parks, and accessory dwelling units.
- **Single-family attached** is all structures with a common wall where each dwelling unit occupies a separate lot, such as row houses or townhouses.
- **Multifamily** is separated into two subgroups of attached structures other than single-family detached units, manufactured units, or single-family attached units. The two

subgroups are defined as: (1) duplexes, triplexes, and quadplexes and (2) multifamily buildings with five or more units.

In Oregon City, government-assisted housing (ORS 197.303[b]) and housing for farmworkers (ORS 197.303[e]) can be any of the housing types listed above, as these housing types are regulated in the Oregon City Development Code in the same manner as any other housing type.

Data Used in This Analysis

Throughout this report, we used data from multiple well-recognized and reliable data sources. One of the key sources for housing and household data is the U.S. Census. This report primarily uses data from two Census sources:

- The **Decennial Census**, which is completed every ten years and is a survey of *all* households in the U.S. The Decennial Census is considered the best available data for information such as demographics (e.g., number of people, age distribution, or ethnic or racial composition), household characteristics (e.g., household size and composition), and housing occupancy characteristics. As of 2010, the Decennial Census does not collect more detailed household information, such as income, housing costs, housing characteristics, and other important household information. Decennial Census data is available for 2000 and 2010.
- The **American Community Survey (ACS)**, which is completed every year and is a *sample* of households in the U.S. From 2012 to 2016, the ACS sampled an average of 3.5 million households per year, or about 3% of the households in the nation. The ACS collects detailed information about households, such as: demographics (e.g., number of people, age distribution, ethnic or racial composition, country of origin, language spoken at home, and educational attainment), household characteristics (e.g., household size and composition), housing characteristics (e.g., type of housing unit, year unit built, or number of bedrooms), housing costs (e.g., rent, mortgage, utility, and insurance), housing value, income, and other characteristics.
- Metro's **RLIS** database, which provides tax lot data for jurisdictions within the three-county Metro Area (including Clackamas County). We use RLIS data tax lot data for as a proxy for building permit data for Oregon City.
- Metro's **2050 Distributed Forecast** for household and population growth was updated in March 2021 for Oregon City. We used this information to report projected population growth and as the basis for the household forecast in Chapter 5.
- **Property Radar and Redfin** databases, which are online platforms providing real estate and property owner data. We use these sources to collect housing sale price data in aggregate and by property.

In general, this report uses data from the 2012-2016 and 2014-2018 ACS 5-year estimates.⁸ Where information is available and relevant, we report information from the 2000 and 2010 Decennial Census. Among other data points, this report includes population, income, and housing price data from the Oregon Office of Economic Analysis, the Oregon Bureau of Labor and Industries, the United States Department of Housing and Urban Development, RLIS, Costar, Redfin, and Property Radar. It also uses the Oregon Department of Housing and Community Services affordable housing inventory and Oregon's Manufactured Dwelling Park inventory.

It is worth commenting on the methods used for the American Community Survey.⁹ The American Community Survey (ACS) is a national survey that uses continuous measurement methods. It uses a sample of about 3.54 million households to produce annually updated estimates for the same small areas (census tracts and block groups) formerly surveyed via the decennial census long-form sample. It is also important to keep in mind that all ACS data are estimates that are subject to sample variability. This variability is referred to as "sampling error" and is expressed as a band or "margin of error" (MOE) around the estimate.

This report uses Census and ACS data because, despite the inherent methodological limits, they represent the most thorough and accurate data available to assess housing needs. We consider these limitations in making interpretations of the data and have strived not to draw conclusions beyond the quality of the data.

⁸ For safe harbor assumptions, such as housing mix in Chapter 5, we use the most recent ACS 5-year estimates (2015-2019).

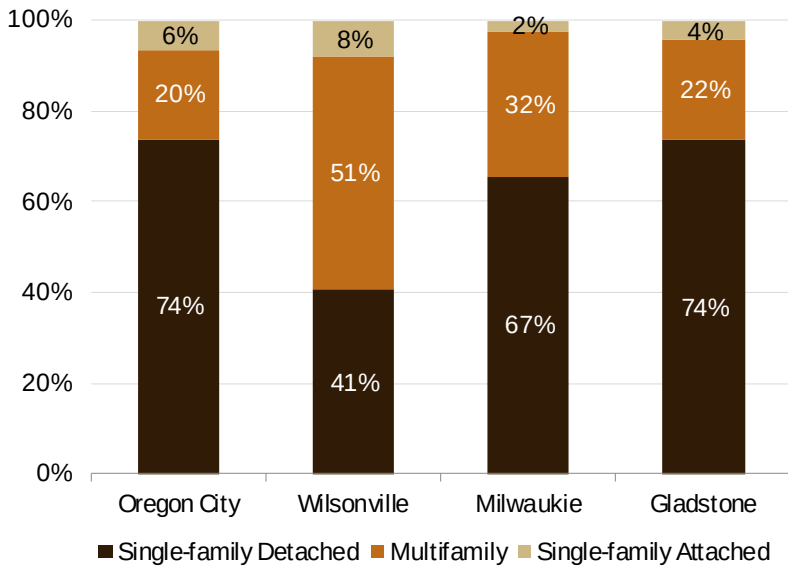
⁹ A thorough description of the ACS can be found in the Census Bureau's publication "What Local Governments Need to Know." <https://www.census.gov/library/publications/2009/acs/state-and-local.html>

Trends in Housing Mix

About 74% of Oregon City's housing stock was single-family detached.

Exhibit 9. Housing Mix, Oregon City, Wilsonville, Milwaukie, Gladstone 2013-2017

Source: U.S. Census Bureau, 2013-2017 ACS Table B25024.



Seventy-five percent of Clackamas County's housing stock was single-family detached.

Clackamas County had a smaller share of multifamily housing than the Portland Region and Oregon, but a similar share of multifamily housing compared to Oregon City.

Exhibit 10. Housing Mix, Clackamas County, Portland Region, Oregon, 2013-2017

Source: U.S. Census Bureau, 2013-2017 ACS Table B25024.

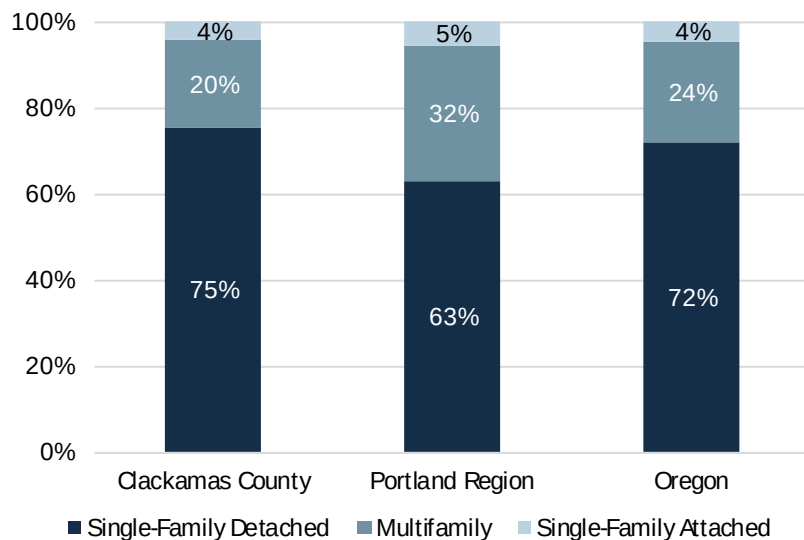
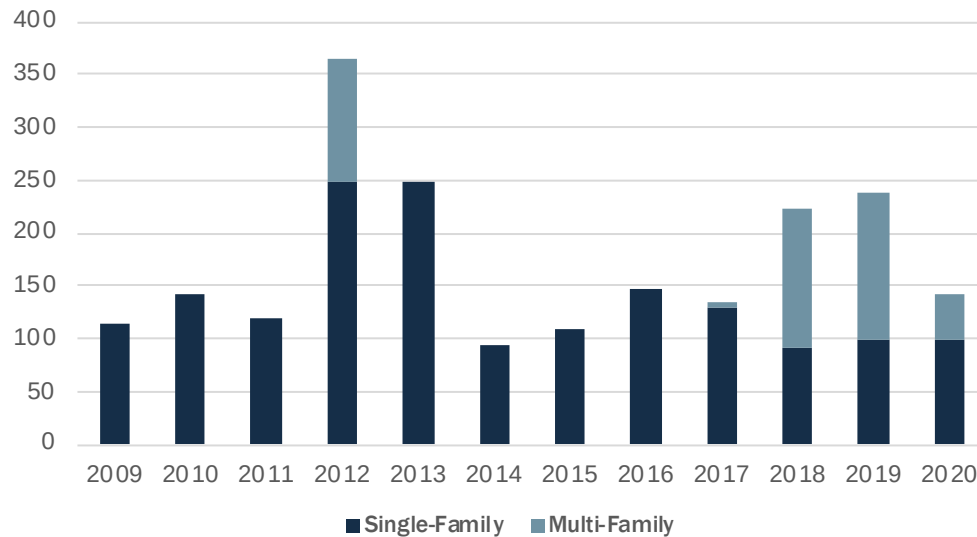


Exhibit 11 shows that over the 2009 to 2020 period, Oregon City had construction of 2,073 dwelling units, with an average of 173 units built per year. Of these units, about 79% were for single-family dwelling units.

Exhibit 11. New Residential Dwelling Units Built by Housing Type, Oregon City, 2009 through 2020
Source: Oregon City.



Trends in Housing Density

This section shows historic densities for new residential construction by housing type and by Plan Designation. To conduct the analysis, we used the RLIS database (a proxy for building permit data). Exhibit 12 shows that Oregon City's average housing density, of units built between 2000 to 2020, was 6.6 dwelling units per net acre. In this period, the average density for multifamily housing was 17.4 units per net acre with an average lot size of 0.77 acres; the average density for single family housing was 6.3 units per net acre with an average lot size of 0.16 acres.

Exhibit 12. Average Density of New Residential Construction Permitted by Type of Unit and Plan Designation, Oregon City, 2000 through 2020

Source: RLIS. Note: DU is dwelling unit.

Plan Designations	Single Family Dwelling Units			Multifamily Dwelling Units			Total, Combined		
	Units	Acres	Net Density	Units	Acres	Net Density	Units	Acres	Net Density
Residential	3,540	565	6.3	230	14	16.9	3,770	578	6.5
Low Density	2,628	495	5.3	14	7	2.1	2,642	502	5.3
Medium Density	500	47	10.6	20	2	12.5	520	49	10.7
High Density	412	23	18.2	196	5	37.0	608	28	21.8
Commercial	23	1	21.1	64	3	19.3	87	4	19.8
Commercial	-	-	-	15	1	19.5	15	1	19.5
Mixed Use Corridor	23	1	21.1	49	3	19.3	72	4	19.8
Total	3,563	566	6.3	294	17	17.4	3,857	583	6.6

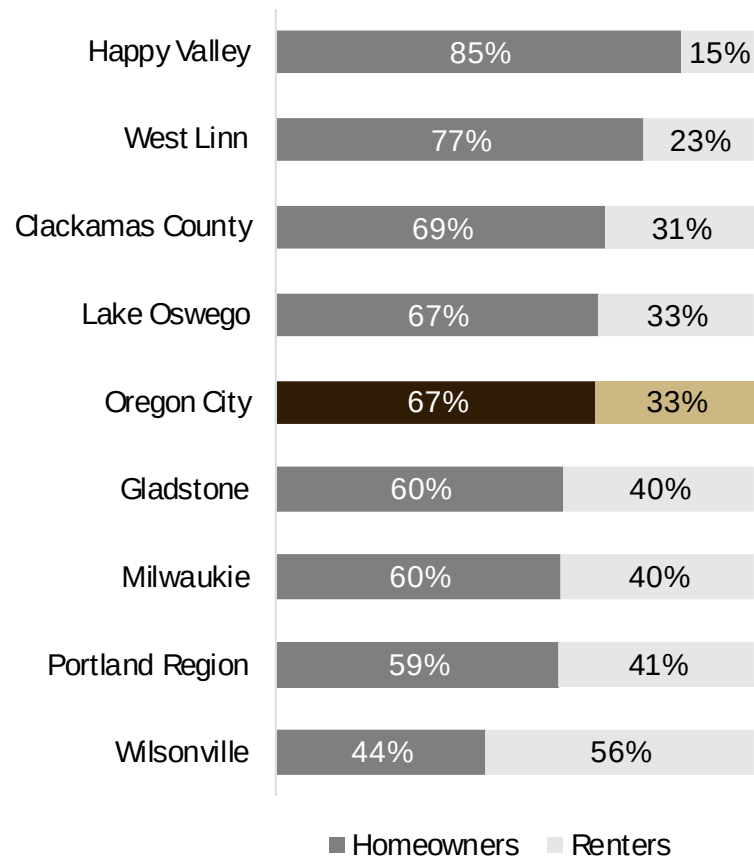
Trends in Tenure

Housing tenure describes whether a dwelling is owner- or renter-occupied.

In the 2012-2016 period, Oregon City had a homeownership rate of 67%, which was slightly below Clackamas County's homeownership rate of 69%.

Exhibit 13. Housing Tenure, Oregon City and Comparison Areas, 2012-2016

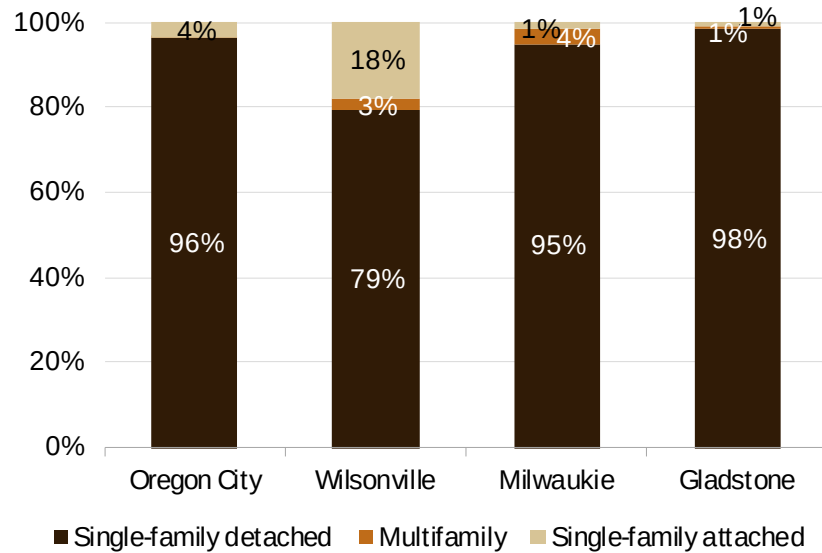
Source: U.S. Census Bureau, 2012-2016 ACS Table B25032.



Nearly all homeowners in Oregon City (96%) lived in single-family detached housing.

Exhibit 14. Types of units occupied by Homeowners, Oregon City, Wilsonville, Milwaukie, Gladstone, 2012-2016

Source: U.S. Census Bureau, 2012-2016 ACS Table B25032.

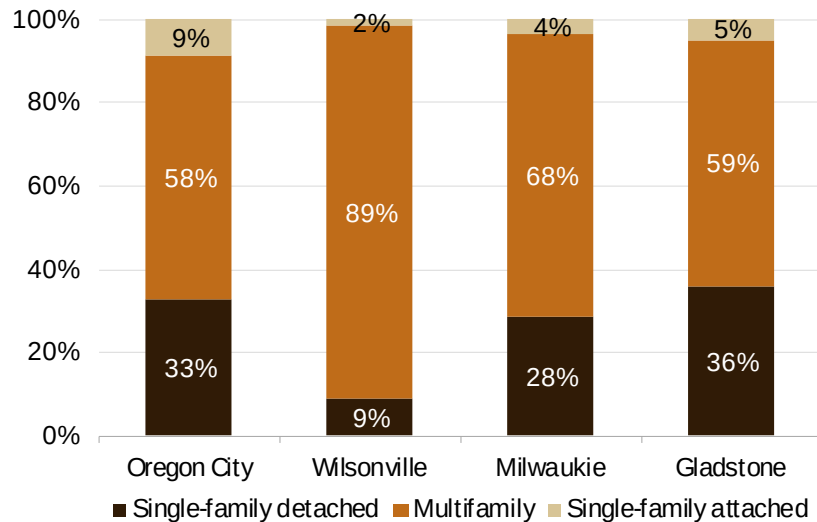


Nearly 60% of renters in Oregon City lived in multifamily housing.

In Oregon City, a third of renters lived in single-family detached housing.

Exhibit 15. Types of Units Occupied by Renters, Oregon City, Wilsonville, Milwaukie, Gladstone, 2012-2016

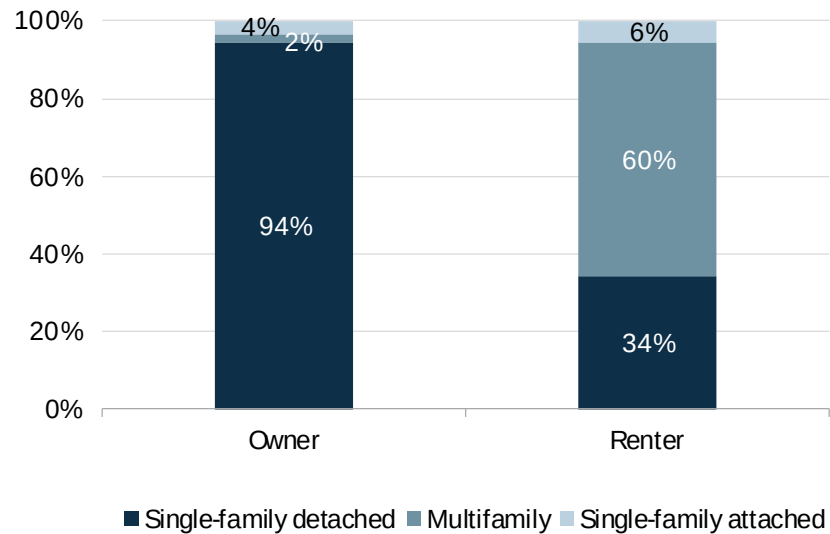
Source: U.S. Census Bureau, 2012-2016 ACS Table B25032.



Like Oregon City, most of Clackamas County's homeowners (94%) lived in single-family detached housing.

Exhibit 16. Types of Units Occupied by Homeowners and Renters, Clackamas County, 2012-2016

Source: U.S. Census Bureau, 2012-2016 ACS Table B25032.



Vacancy Rates

The Census defines vacancy as: "Unoccupied housing units... determined by the terms under which the unit may be occupied, e.g., for rent, for sale, or for seasonal use only." The 2010 Census identified vacancy through an enumeration, separate from (but related to) the survey of households. Enumerators are obtained using information from property owners and managers, neighbors, rental agents, and others.

According to the 2013-2017 Census, vacancy rates by jurisdiction were:¹⁰

- Oregon: 9.3%
- Portland Region 5.5%
- Clackamas County: 6.0%
- **Oregon City: 3.6%**

¹⁰ Source: U.S. Census Bureau, 2013-2017 ACS, Table B25032.

Publicly Supported Housing

Oregon City had 634 publicly supported, affordable units. Most of these units were available for families.

Exhibit 17. Publicly Supported Housing, Oregon City, June 2020

Source: Oregon Housing and Community Services.

Development Name	Total Units	Restricted Units	Population Served
Birchwood Dr	6	6	Family
Hughes St	1	1	Family
Forest Ridge Ln	1	1	Family
Salmonberry Dr	1	1	Family
6th St	4	4	Family
Cairmont Way	1	1	Family
Molalla Ave	6	6	Family
S Redland Rd	1	1	Family
Lafayette Ave	2	2	Family
Whitney Ln	1	1	Family
Latourette St	1	1	Family
Hilda St	1	1	Family
Buchanan St	2	2	Family
Prospect St	1	1	Family
Clackamas Heights	100	99	Family
Fisher Ridge	19	18	Family
Kingsberry Heights	260	260	Family
Meadowlark	15	15	Family
Oregon City Terrace	47	47	Family
Oregon City View Manor	100	100	Family
Our Apartment	4	4	Family
Pleasant Avenue Veteran Housing	24	24	Veterans
Rosewood Terrace	38	38	Family
Totals	636	634	-

Manufactured Homes

Manufactured homes provide a source of affordable housing. They also provide a form of homeownership that can be made available to low- and moderate-income households. Cities are required to plan for manufactured homes—both on lots and in parks (ORS 197.475-492).

Generally, manufactured homes in parks (communities) are owned by the occupants who pay rent for the space. Monthly housing costs are typically lower for a homeowner in a manufactured home community for several reasons, including the fact that property taxes levied on the value of the land are paid by the property owner, rather than the manufactured homeowner. The value of the manufactured home generally does not appreciate in the way a conventional home would, however. Manufactured homeowners in communities are also subject to the mercy of the property owner in terms of rent rates and increases. It is generally not within the means of a manufactured homeowner to relocate to another manufactured home to escape rent increases. Homeowners living in a park is desirable to some because it can provide a more secure community with on-site managers and amenities, such as laundry and recreation facilities.

OAR 197.480(4) requires cities to inventory mobile home or manufactured dwelling parks sited in areas planned and zoned or generally used for commercial, industrial, or high-density residential development. In 2006, Oregon City adopted regulations related to manufactured home park closures.¹¹ This section presents the inventory of mobile and manufactured home communities for Oregon City as of May 2020.

Oregon City had four manufactured home communities within its UGB.

Within these parks, there were a total of 885 spaces, 9 of which were vacant as of May 2020.

Exhibit 18. Inventory of Mobile/Manufactured Home Communities, Oregon City, May 2020

Source: Oregon Manufactured Dwelling Park Directory.

Name	Location	Type	Total Spaces	Vacant Spaces	Zone
Char-Diaz Estates	13678 Char-Diaz Dr	55+	22	0	R3.5
Cherry Lane	20248 Highway 213	55+	66	0	R3.5
Clairmont Mtg Housing Park	13531 Clairmont Way	Family	189	0	R3.5
Mount Pleasant Mobile Home Park	18780 Central Point Rd	Family	68	2	R3.5
Country Village Estates	14630 South Village Court	Family	499	7	County
Forest Park Mobile Village	18830 S Hwy 99E	Family	41	0	County
Totals			885	9	

¹¹ OCMC 15.52.

4. Demographic and Other Factors Affecting Residential Development in Oregon City

Demographic trends are important for a thorough understanding of the dynamics of the Oregon City housing market. Oregon City exists in a regional economy; trends in the region impact the local housing market. This chapter documents demographic, socioeconomic, and other trends relevant to Oregon City at the national, state, and regional levels.

Demographic trends provide a context for growth in a region; factors such as age, income, migration, and other trends show how communities have grown and how they will shape future growth. To provide context, we compare Oregon City to Clackamas County, the Portland region (defined as Clackamas, Multnomah, and Washington Counties), and Oregon. We also compare Oregon City to nearby cities where appropriate. Characteristics such as age and ethnicity are indicators of how the population has grown in the past and provide insight into factors that may affect future growth.

A recommended approach to conducting a housing needs analysis is described in *Planning for Residential Growth: A Workbook for Oregon's Urban Areas*, the Department of Land Conservation and Development's guidebook on local housing needs studies. As described in the guidebook, the specific steps in the Housing Needs Analysis are:

1. Project the number of new housing units needed in the next 20 years.
2. Identify relevant national, state, and local demographic and economic trends and factors that may affect the 20-year projection of structure type mix.
3. Describe the demographic characteristics of the population and, if possible, the housing trends that relate to demand for different types of housing.
4. Determine the types of housing that are likely to be affordable to the projected households based on household income.
5. Determine the needed housing mix and density ranges for each plan designation and the average needed net density for all structure types.
6. Estimate the number of additional needed units by structure type.

This chapter presents data to address steps 2, 3, and 4 in this list. Chapter 5 presents data to address steps 1, 5, and 6 in this list.

Demographic and Socioeconomic Factors Affecting Housing Choice¹²

Analysts typically describe housing demand as the *preferences* for different types of housing (e.g., single-family detached or apartment) and *the ability to pay* for that housing (the ability to exercise those preferences in a housing market by purchasing or renting housing; in other words, income or wealth).

Many demographic and socioeconomic variables affect housing choice. However, the literature about housing markets finds that age of the householder, size of the household, and income are most strongly correlated with housing choice.

- **Age of householder** is the age of the person identified (in the Census) as the head of household. Households make different housing choices at different stages of life. This chapter discusses generational trends, such as housing preferences of Baby Boomers, people born from about 1946 to 1964, Millennials, people born from about 1980 to 2000, and Generation Z, people born between 1997 and 2012.¹³ (Generation X, the generation between Baby Boomers and Millennials, is a smaller age group and does not generally drive housing demand.)
- **Size of household** is the number of people living in the household. Younger and older people are more likely to live in single-person households. People in their middle years are more likely to live in multi-person households (often with children).
- **Household income** is probably the most important determinant of housing choice. Income is strongly related to the type of housing a household chooses (e.g., single-family detached, duplex, or a building with more than five units) and to household tenure (e.g., rent or own).

¹² The research in this chapter is based on numerous articles and sources of information about housing, including:

Davis, Hibbits & Midghal Research, "Metro Residential Preference Survey," May 2014.

D. Myers and S. Ryu, *Aging Baby Boomers and the Generational Housing Bubble*, Journal of the American Planning Association, Winter 2008.

George Galster. People Versus Place, People and Place, or More? New Directions for Housing Policy, Housing Policy Debate, 2017.

Herbert, Christopher and Hrabchak Molinsky. "Meeting the Housing Needs of an Aging Population," 2015.

J. McIlwain, *Housing in America: The New Decade*, Urban Land Institute, 2010.

L. Lachman and D. Brett, *Generation Y: America's New Housing Wave*, Urban Land Institute, 2010.

Schuetz, Jenny. Who is the new face of American homeownership? Brookings, 2017.

The American Planning Association, "Investing in Place; Two generations' view on the future of communities," 2014.

Transportation for America, "Access to Public Transportation a Top Criterion for Millennials When Deciding Where to Live, New Survey Shows," 2014.

¹³ The range of years that define generations vary across sources. We have referenced the general age range for Millennials and Generation Z, and some years may overlap depending on the definition.

This chapter focuses on these factors, presenting data that suggests how changes to these factors may affect housing need in Oregon City over the next 20 years.

National Trends¹⁴

This brief summary on national housing trends builds on previous work by ECONorthwest as well as Urban Land Institute (ULI) reports and conclusions from *The State of the Nation's Housing* report from the Joint Center for Housing Studies of Harvard University. The Harvard report (2020) summarizes the national housing outlook as follows:

Given the profound impact of the pandemic on how US households live and work, there is plenty of reason to believe that it could bring meaningful changes to housing markets. With millions of people forced to work remotely, employers and employees alike may find this an attractive option even after the pandemic ends. If so, demand would likely increase for homes large enough to provide office space, as well as easy access to outdoor spaces to exercise and socialize. And if long commutes are no longer everyday requirements, many households may move to lower-density areas where housing is less expensive. However, a major shift in residential development patterns is far from certain. What is certain is that the need for more housing of all types, locations, and price points will persist. In the near term, the outlook for housing markets is bright, fueled by very low interest rates as well as unabated demand from more affluent households. If the pandemic persists, however, it will remain a serious drag on the labor market and wage growth, and ultimately on household formations. Still, the pandemic's negative impact on markets should be relatively muted given historically tight conditions on the supply side.

However, challenges to a strong domestic housing market remain. Rising mortgage rates, the tight credit market, and limited inventory of entry-level homes make housing unaffordable for many Americans, especially younger Americans. In addition to rising housing costs, wages have also failed to keep pace, worsening affordability pressures. Single-family and multifamily housing supplies remain tight, which compound affordability issues. *The State of the Nation's Housing* report emphasizes the importance of government assistance and intervention to keep housing affordable moving forward. Several challenges and trends shaping the housing market are summarized below:

- **Bounce back in residential construction led by single-family starts.** New construction made a sharp comeback in summer 2020 led by single-family construction. Single-family starts in 2020 began at about a 900,000-unit annual rate (the fastest pace since the Great Recession), before dipping to a below 700,000-unit annual rate in April due to the COVID-19 pandemic. Then, single-family starts hit a 1.1-million-unit annual rate in September 2020—marking it as the strongest month for single-family homebuilding in

¹⁴ These trends are based on information from (1) the Joint Center for Housing Studies of Harvard University's publication "The State of the Nation's Housing 2020," (2) Urban Land Institute, "2021 Emerging Trends in Real Estate," and (3) the U.S. Census.

over 13 years. Multifamily unit starts also continued to climb, increasing by 7.5% from about 374,000 units in 2018 to about 402,000 units in 2019. Notably, 2019 marked the first year since 1988 that multifamily starts topped 400,000. In 2019, home sales averaged 3.9 months which is below what is considered balanced (six months), with lower-cost and moderate-cost homes experiencing the tightest inventories. *The State of the Nation's Housing* report cited lack of skilled labor, rising construction costs, land use regulations (particularly density restrictions), and development fees as constraints on new construction.

- **Demand shift from renting to owning.** After years of decline, the national homeownership rate increased slightly from 64.4% in 2018 to 64.6% in 2019. Trends suggest the recent homeownership increases are among householders of all age groups; however, new growth in homeownership since the post-Great Recession low of 2013 resulted from households with higher incomes. About 88% of net new growth (2013 to 2019) was among households with incomes of \$150,000 or more.
- **Housing affordability.** Despite a recent downward trend, 37.1 million American households spent more than 30% of their income on housing in 2019 which is 5.6 million more households than in 2001. Renter households experienced cost-burden at more than double the rate of homeowners (46% versus 21%) with the number of cost-burdened renters exceeding cost-burdened homeowners by 3.7 million in 2019. Affordability challenges continued to move up the income ladder, with the share of cost-burdened middle-income households increasing slightly from 2018 to 2019 even as the share of low-income households experiencing cost-burden declined slightly over the same period. Households under the age of 25 and over the age of 85 had the highest rates of housing cost-burden.
- **Long-term growth and housing demand.** The Joint Center for Housing Studies forecasts that, nationally, demand for new homes could total as many as 12 million units between 2018 and 2028¹⁵. Much of the demand will come from Baby Boomers, Millennials,¹⁶ and immigrants. The Urban Land Institute cites the trouble of overbuilding in the luxury sector while demand is in mid-priced single-family houses affordable to a larger buyer pool.
- **Growth in rehabilitation market.**¹⁷ Aging housing stock and poor housing conditions are growing concerns for jurisdictions across the United States. With almost 80% of the nation's housing stock at least 20 years old (and 40% at least 50 years old), Americans are spending in excess of \$400 billion per year on residential renovations and repairs. As

¹⁵ The Joint Center for Housing Studies of Harvard University. *The State of the Nation's Housing* 2019.

¹⁶ According to the Pew Research Center, Millennials were born between the years of 1981 to 1996 and Generation Z were born between 1997 to 2012 (inclusive). Read more about generations and their definitions here: <http://www.pewresearch.org/fact-tank/2018/03/01/defining-generations-where-millennials-end-and-post-millennials-begin/>.

¹⁷ These findings are copied from: Joint Center for Housing Studies. (2019). *Improving America's Housing*, Harvard University. Retrieved from: https://www.jchs.harvard.edu/sites/default/files/Harvard_JCHS_Improving_Americas_Housing_2019.pdf

housing rehabilitation becomes the go-to solution to address housing conditions, the home remodeling market has grown more than 50% since the recession ended — generating 2.2% of national economic activity (in 2017).

Despite trends suggesting growth in the rehabilitation market, rising construction costs and complex regulatory requirements pose barriers to rehabilitation. Lower-income households or households on fixed incomes may defer maintenance for years due to limited financial means, escalating rehabilitation costs. At a certain point, the cost of improvements may outweigh the value of the structure, which may necessitate new responses such as demolition or redevelopment.

- **Declining residential mobility.**¹⁸ Residential mobility rates have declined steadily since 1980. Nearly one in five Americans moved every year in the 1980s, compared to one in ten Americans between 2018 and 2019. While reasons for decline in residential mobility are uncertain, contributing factors include demographic, housing affordability, and labor-related changes. For instance, as Baby Boomers and Millennials age, mobility rates are expected to fall as people typically move less as they age. Harvard University's Research Brief (2020) also suggests that increasing housing costs could be preventing people from moving if they are priced out of desired neighborhoods or if they prefer to stay in current housing as prices rise around them. Other factors that may impact mobility include: the rise in dual-income households (which complicates job-related moves), the rise in work-from-home options, and the decline in company-funded relocations. While decline in mobility rates span all generations, they are greatest among young adults and renters, two of the more traditionally mobile groups.
- **Changes in housing preference.** Housing preference will be affected by changes in demographics, most notably: the aging of Baby Boomers, housing demand from Millennials and Generation Z, and growth of immigrants.
 - *Baby Boomers.* In 2020, the oldest members of this generation were in their seventies and the youngest were in their fifties. The continued aging of the Baby Boomer generation may affect the housing market. In particular, Baby Boomers' may influence housing preference and homeownership trends. Preferences (and needs) may vary for Boomers' moving through their 60s, 70s, and 80s (and beyond). They will require a range of housing opportunities. For example, "aging baby boomers are increasingly renters-by-choice, [preferring] walkable, high-energy, culturally evolved communities."¹⁹ Many seniors are also moving to planned retirement destinations earlier than expected as they experience the benefits of work-from-home trends (accelerated by COVID-19). Additionally, the supply of caregivers is decreasing as people in this cohort move from giving care to needing care, making more inclusive, community-based, congregate settings more important. Senior households earning different incomes may make distinct housing choices. For

¹⁸ Frost, R. (2020). "Are Americans stuck in place? Declining residential mobility in the US." Joint Center for Housing Studies of Harvard University's Research Brief.

¹⁹ Urban Land Institute. Emerging Trends in Real Estate, United States and Canada. 2019.

instance, low-income seniors may not have the financial resources to live out their years in a nursing home and may instead choose to downsize to smaller, more affordable units. Seniors living in proximity to relatives may also choose to live in multigenerational households.

Research shows that “older people in western countries prefer to live in their own familiar environment as long as possible,” but aging in place does not only mean growing old in their own homes.²⁰ A broader definition exists which defines aging in place as “remaining in the current community and living in the residence of one’s choice.”²¹ Some Baby Boomers are likely to stay in their home as long as they are able, and some will prefer to move into other housing products, such as multifamily housing or age-restricted housing developments, before they move into to a dependent living facility or into a familial home. Moreover, “the aging of the U.S. population, [including] the continued growth in the percentage of single-person households, and the demand for a wider range of housing choices in communities across the country is fueling interest in new forms of residential development, including tiny houses.”²²

- *Millennials.* Over the last several decades, young adults have increasingly lived in multigenerational housing—more so than older demographics.²³ However, as Millennials move into their early- to mid-thirties, postponement of family formation is ending and millennials are likely to prefer a wide range of housing types in urban or suburban areas, including detached, single family homes and multifamily housing types in walkable neighborhoods.

At the beginning of the 2007–2009 recession, Millennials only began to form their own households. Today, Millennials are driving much of the growth in new households, albeit at slower rates than previous generations. As this generation continues to progress into their homebuying years, they may seek out affordable, modest-sized homes. This will prove challenging as the market for entry-level, single-family homes has remained stagnant. Although construction of smaller homes (< 1,800 sq. ft.) increased in 2019, they only represented 24% of single-family units.

Millennials’ average wealth may remain far below Boomers and Gen Xers, and student loan debt will continue to hinder consumer behavior and affect retirement savings. As of 2020, Millennials comprised 38% of home buyers, while Gen Xers

²⁰ Vanleerberghe, Patricia, et al. (2017). The quality of life of older people aging in place: a literature review.

²¹ *Ibid.*

²² American Planning Association. Making Space for Tiny Houses, Quick Notes.

²³ According to the Pew Research Center, in 1980, just 11% of adults aged 25 to 34 lived in a multigenerational family household, and by 2008, 20% did (82% change). Comparatively, 17% of adults aged 65 and older lived in a multigenerational family household, and by 2008, 20% did (18% change).

comprised 23% and Boomers 33%.²⁴ “By the year 2061, it is estimated that \$59 trillion will be passed down from boomers to their beneficiaries,” presenting new opportunities for Millennials (as well as Gen X and Gen Z).²⁵

- *Generation Z.* In 2020, the oldest members of Generation Z were in their early 20s and the youngest in their early childhood years. By 2040, Generation Z will be between 25 and 40 years old. While they are more racially and ethnically diverse than previous generations, when it comes to key social and policy issues they look very much like Millennials. Generation Z was set to inherit a strong economy and record-low unemployment.²⁶ However, because the long-term economic impacts of COVID-19 are unknown, Generation Z may now be looking at an uncertain future.

While researchers do not yet know how Generation Z will behave in adulthood, many expect they will follow patterns of previous generations. A segment is expected to move to urban areas for reasons similar to previous cohorts (namely, the benefits that employment, housing, and entertainment options bring when they are in close proximity). However, this cohort is smaller than Millennials (67 million vs. 72 million) which may lead to slowing real estate demand, including in city centers.

- *Immigrants.* Research on foreign-born populations shows that immigrants, more than native-born populations, live in multigenerational housing for a variety of reasons. Still, immigration and increased homeownership among minorities could also play a key role in accelerating household growth over the next 10 years. Current Population Survey estimates indicate that the number of foreign-born households rose by nearly 400,000 annually between 2001 and 2007, and they accounted for nearly 30% of overall household growth. Beginning in 2008, the influx of immigrants was staunchly by the effects of the Great Recession. After a period of declines, the foreign-born population again began contributing to household growth, despite a decline in immigration rates in 2019. The Census Bureau’s estimates of net immigration in 2019 indicate that 595,000 immigrants moved to the United States from abroad, down from 1.2 million immigrants in 2017–2018. However, as noted in *The State of the Nation’s Housing* (2020) report, “because the majority of immigrants do not immediately form their own households upon arrival in the country, the drag on household growth from lower immigration only becomes apparent over time.”
- *Diversity.* The growing diversity of American households will have a large impact on the domestic housing markets. Over the coming decade, minorities will make up a

²⁴ National Association of Realtors. (2020). 2020 Home Buyers and Sellers Generational Trends Report, March 2020. Retrieved from: <https://www.nar.realtor/research-and-statistics/research-reports/home-buyer-and-seller-generational-trends>

²⁵ PNC. (n.d.). Ready or Not, Here Comes the Great Wealth Transfer. Retrieved from: <https://www.pnc.com/en/about-pnc/topics/pnc-pov/economy/wealth-transfer.html>

²⁶ Parker, K. & Igielnik, R. (2020). On the cusp of adulthood and facing an uncertain future: what we know about gen Z so far. Pew Research Center. Retrieved from: <https://www.pewsocialtrends.org/essay/on-the-cusp-of-adulthood-and-facing-an-uncertain-future-what-we-know-about-gen-z-so-far/>

larger share of young households and constitute an important source of demand for both rental housing and small homes. The growing gap in homeownership rates between White and Black households as well as the larger share of minority households that are cost burdened warrant consideration. White households had a 73% homeownership rate in 2019 compared to a 43% rate for Black households. This 30-percentage point gap is the largest disparity since 1983. Although homeownership rates are increasing for some minorities, Black and Latino households are more likely to have suffered disproportionate impacts of the pandemic and forced sales could negatively impact homeownership rates. This, combined with systemic discrimination in the housing and mortgage markets and lower incomes relative to White households, leads to higher rates of cost burden for minorities — 43% for Black, 40% for Latino, 32% for Asian and 25% for White in 2019. As noted in *The State of the Nation's Housing* (2020) report, “the impacts of the pandemic have shed light on the growing racial and income disparities in the nation between the nation’s haves and have-nots are the legacy of decades of discriminatory practices in the housing market and in the broader economy.”

- **Changes in housing characteristics.** The U.S. Census Bureau’s Characteristics of New Housing Report (2019) presents data that show trends in the characteristics of new housing for the nation, state, and local areas. Several long-term trends in the characteristics of housing are evident from the New Housing Report:²⁷
 - *Larger single-family units on smaller lots.* Between 1999 and 2019, the median size of new single-family dwellings increased by 13% nationally, from 2,028 sq. ft. to 2,301 sq. ft., and 14% in the western region from 2,001 sq. ft. in 1999 to 2,279 sq. ft. in 2019. Moreover, the percentage of new units smaller than 1,400 sq. ft. nationally decreased by more than half, from 16% in 1999 to 7% in 2019. The percentage of units greater than 3,000 sq. ft. increased from 17% in 1999 to 25% of new one-family homes completed in 2019. In addition to larger homes, a move toward smaller lot sizes was seen nationally. Between 2009 and 2019, the percentage of lots less than 7,000 sq. ft. increased from 25% to 33%.
 - *Larger multifamily units.* Between 1999 and 2019, the median size of new multifamily dwelling units increased by 3.4% nationally. In the western region, the median size decreased by 1.9%. Nationally, the percentage of new multifamily units with more than 1,200 sq. ft. increased from 28% in 1999 to 35% in 2019 and increased from 25% to 27% in the western region.
 - *Household amenities.* Across the United States since 2013, an increasing number of new units had air-conditioning (fluctuating year by year at over 90% for both new single-family and multifamily units). In 2000, 93% of new single-family houses had two or more bathrooms, compared to 96% in 2019. The share of new multifamily units with two or more bathrooms decreased from 55% of new multifamily units to

²⁷ U.S. Census Bureau, Highlights of Annual 2019 Characteristics of New Housing. Retrieved from: <https://www.census.gov/construction/chars/highlights.html>

45%. As of 2019, 92% of new single-family houses in the United States had garages for one or more vehicles (from 89% in 2000). Additionally, if work from home dynamics become a more permanent option, then there may be rising demand for different housing amenities such as more space for home offices or larger yards for recreation.

- *Shared amenities.* Housing with shared amenities grew in popularity, as it may improve space efficiencies and reduce per-unit costs and/or maintenance costs. Single-room occupancies (SROs), cottage clusters, cohousing developments, and multifamily products are common housing types that take advantage of this trend.²⁸ Shared amenities may take many forms and include shared bathrooms, kitchens, other home appliances (e.g., laundry facilities, outdoor grills), security systems, outdoor areas (e.g., green spaces, pathways, gardens, rooftop lounges), fitness rooms, swimming pools, tennis courts, and free parking.²⁹

State Trends

In August 2019, the State of Oregon passed statewide legislation -- Oregon House Bill 2001 and 2003. **House Bill 2001 (HB2001)** required many Oregon communities to accommodate middle housing within single-family neighborhoods. “Medium Cities” —those with 10,000 to 25,000 residents outside the Portland metro area —are required to allow duplexes on each lot or parcel where a single-family home is allowed. “Large Cities” —those with over 25,000 residents and nearly all jurisdictions in the Portland metro urban growth boundary (UGB)—must meet the same duplex requirement as well as allow triplexes, fourplexes, townhomes, and cottage clusters in all areas that are zoned for residential use and allow single-family homes. Oregon City has recently made a variety of amendments to the development code to allow more housing types and is currently working through the process of making adjustment to comply with HB 2001 which will be implemented by July 2022.

Middle housing is generally built at a similar scale as single-family homes but at higher residential densities. It provides a range of housing choices at different price points within a community.

House Bill 2003 (HB2003) envisions Oregon’s housing planning system is reformed from a singular focus (on ensuring adequate available land) to a more comprehensive approach that also achieves these critical goals: (1) support and enable the construction of sufficient units to accommodate current populations and projected household growth and (2) reduce geographic

²⁸ Single-room occupancies are residential properties with multiple single-room dwelling units occupied by a single individual. From: U.S. Department of Housing and Urban Development. (2001). *Understanding SRO*. Retrieved from: <https://www.hudexchange.info/resources/documents/Understanding-SRO.pdf>

²⁹ Urbsworks. (n.d.). Housing Choices Guidebook: A Visual Guide to Compact Housing Types in Northwest Oregon. Retrieved from: https://www.oregon.gov/lcd/Publications/Housing-Choices-Booklet_DIGITAL.pdf

Saiz, Albert and Salazar, Arianna. (n.d.). Real Trends: The Future of Real Estate in the United States. Center for Real Estate, Urban Economics Lab.

disparities in access to housing (especially affordable and publicly supported housing). In that, HB 2003 required the development of a methodology for projecting *regional* housing need and allocate that need to local jurisdictions. It also expanded local government responsibilities for planning to meet housing need by requiring cities to develop and adopt Housing Production Strategies.³⁰

Prior to the passage of these bills, Oregon developed its *2016–2020 Consolidated Plan* which includes a detailed housing needs analysis as well as strategies for addressing housing needs statewide. The plan concluded that “a growing gap between the number of Oregonians who need affordable housing, and the availability of affordable homes has given rise to destabilizing rent increases, an alarming number of evictions of low- and fixed- income people, increasing homelessness, and serious housing instability throughout Oregon.” It identified the following issues that describe housing need statewide:³¹

- For housing to be considered affordable, a household should pay up to one-third of their income toward rent, leaving money left over for food, utilities, transportation, medicine, and other basic necessities. Today, one in two Oregon households pays more than one-third of their income toward rent, and one in three pays more than half of their income toward rent.
- More school children are experiencing housing instability and homelessness. The rate of K–12 homeless children increased by 12% from the 2013–2014 school year to the 2014–2015 school year.
- Oregon has 28,500 rental units that are affordable and available to renters with extremely low incomes. There are about 131,000 households that need those apartments, leaving a gap of 102,500 units.
- Housing instability is fueled by an unsteady, low-opportunity employment market. Over 400,000 Oregonians are employed in low-wage work. Low-wage work is a growing share of Oregon’s economy. When wages are set far below the cost needed to raise a family, the demand for public services grows to record heights.
- Women are more likely than men to end up in low-wage jobs. Low wages, irregular hours, and part-time work compound issues.
- People of color historically constitute a disproportionate share of the low-wage work force. About 45% of Latino, and 50% of African Americans, are employed in low-wage industries.
- The majority of low-wage workers are adults over the age of 20, many of whom have earned a college degree, or some level of higher education.

³⁰ This Housing Needs Analysis is not required to comply with HB 2003 because it will be adopted prior to January, 2022. The City is expected to comply with HB 2003 at the next HNA which is anticipated in six years.

³¹ These conclusions are copied directly from the report: Oregon’s 2016–2020 Consolidated Plan. Retrieved from: <http://www.oregon.gov/ohcs/docs/Consolidated-Plan/2016-2020-Consolidated-Plan-Amendment.pdf>.

- In 2019, minimum wage in Oregon³² was \$11.25, compared to \$12.50 in the Portland Metro, and \$11.00 for nonurban counties.

Oregon developed its *Statewide Housing Plan* in 2018. The Plan identified six housing priorities to address in communities across the State over the 2019 to 2023 period (summarized below). In August 2020, Oregon Housing and Community Services (OHCS) released a summary of their progress.³³ The following section includes summaries and excerpts from their status report:

- **Equity and Racial Justice.** *Advance equity and racial justice by identifying and addressing institutional and systemic barriers that have created and perpetuated patterns of disparity in housing and economic prosperity.*

OHCS built internal organizational capacity through staff trainings on Equity and Racial Justice (ERJ) and hired an Equity, Diversity and Inclusion Manager. OHCS established a workgroup to support equity in their data system and approved an internal organizational structure to advance and support ERJ within all areas of OHCS. Now, OHCS is developing funding mechanisms to encourage culturally specific organizations to increase services to underserved communities and to increase the number and dollar amounts of contracts awarded to minority, women, and emerging small businesses (MWESBs).

- **Homelessness.** *Build a coordinated and concerted statewide effort to prevent and end homelessness, with a focus on ending unsheltered homelessness of Oregon's children and veterans.*

The Homeless Services Section (HSS) made progress in building a foundation for planning and engagement across intersecting economic, social, and health systems. The OHCS Veteran Leadership team established recurring information-sharing sessions with federal, state, and local partners. HSS convened Oregon Homeless Management Information System (HMIS) stakeholders to build recommendations and co-construct a path toward a new HMIS implementation and data warehouse. HSS established successful workflows to analyze demographic data of people entering/exiting the homeless service system.

- **Permanent Supportive Housing.** *Invest in permanent supportive housing (PSH), a proven strategy to reduce chronic homelessness and reduce barriers to housing stability.*

OHCS funded 405 of their 1,000 PSH-unit targets. Almost half of these units were the result of the NOFA tied to the first PSH Institute cohort.

³² The 2016 Oregon Legislature, Senate Bill 1532, established a series of annual minimum wage rate increases beginning July 1, 2016, through July 1, 2022. Retrieved from: <https://www.oregon.gov/boli/whd/omw/pages/minimum-wage-rate-summary.aspx>

³³ This section uses many direct excerpts from the OHCS Statewide Housing Plan Year One Summary August 2020 Report to HSC. Oregon Statewide Housing Plan, Status Reports. <https://www.oregon.gov/ohcs/Documents/swhp/SWHP-Report-Y1-Summary.pdf>

- **Affordable Rental Housing.** *Work to close the affordable rental housing gap and reduce housing cost burden for low-income Oregonians.*

OHCS implemented a new electronic application and widespread adoption of system work modules. They also established a capacity building team to assess and recommend opportunities for growth in their development priorities and began training and technical assistance to potential PSH and rural developers. OHCS increased their units by 8,408 representing 22.8% of their 25,000 unit 5-year target.

- **Homeownership.** *Provide more low- and moderate-income Oregonians with the tools to successfully achieve and maintain homeownership, particularly in communities of color.*

OHCS pursued a strategy to align programs with the needs of communities of color, improved their Homeownership Center framework and Down Payment Assistance product, began developing their TBA program and focused on low-cost homeownership through manufactured housing. Additionally, they began developing the Restore Health and Safety program and re-opening the Oregon Homeownership Stabilization Initiative (OHSI) program. OHCS also supported the Joint Task Force on Racial Equity in Homeownership and advocating for additional funds to support communities of color. OHCS provided 678 mortgage lending products of their 6,500 5-Year goal with 170 going to households of color.

- **Rural Communities.** *Change the way OHCS does business in small towns and rural communities to be responsive to the unique housing and service needs and unlock the opportunities for housing development.*

OHCS focused on developing a better understanding of rural community needs and increasing rural capacity to build more affordable housing. OHCS hired a full-time capacity building analyst who has conducted outreach to key stakeholders across the state representing rural communities and developed a strategy to address those needs. OHCS has funded 532 units in rural communities, out of a total of 2,543 units in the 5-year goal (21% of target).

Regional and Local Demographic Trends that May Affect Housing Need in Oregon City

Demographic trends that might affect the key assumptions used in the analysis of housing need is (1) the aging population, (2) changes in household size and composition, and (3) increases in diversity.

An individual's housing needs change throughout their life, with changes in income, family composition, and age. The types of housing needed by a 20-year-old college student differ from the needs of a 40-year-old parent with children, or an 80-year-old single adult. As Oregon City's population ages, different types of housing will be needed to accommodate older residents. The housing characteristics by age data below reveal this cycle in action in Oregon City.

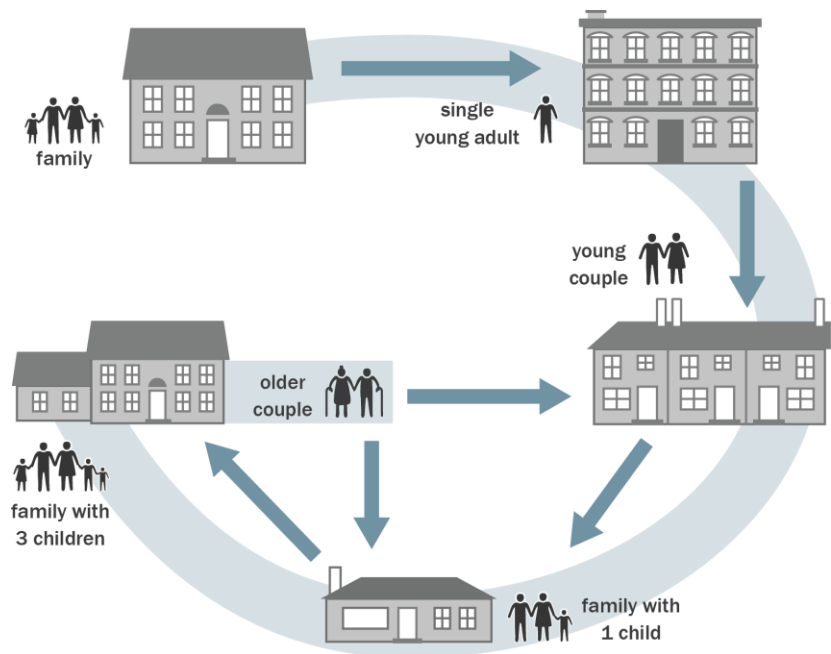
Housing needs and preferences may change over time, such as with changes in marital status and size of family. Changes in income, which may change over a person's life with age, strongly influence the types of housing selected.

Families of different sizes need different types of housing. Changes in income is also a key factor in housing demand.

This graphic illustrates an example of changes in housing needs across a person's life

Exhibit 19. Effect of Demographic Changes on Housing Need

Source: ECONorthwest, adapted from Clark, William A.V. and Frans M. Dieleman. 1996. Households and Housing. New Brunswick, NJ: Center for Urban Policy Research.



Growing Population

Oregon City, like Wilsonville, has grown quickly over the last 30 years with its population more than doubling from 1990 to 2019.

Exhibit 20. Population, Oregon City, Gladstone, Wilsonville, Milwaukie, 1990-2019

Source: U.S. Decennial Census 1990, and Portland State University, Population Research Center.

			Change 1990 to 2019		
	1990	2019	Number	Percent	AAGR
Oregon City	14,698	35,570	19,242	131%	3.4%
Gladstone	10,152	11,905	1,353	13%	0.5%
Wilsonville	7,106	25,635	15,764	222%	4.8%
Milwaukie	18,692	20,535	1,813	10%	0.4%

Oregon City's population within the urban growth boundary is projected to grow by 6,410 people between 2019 and 2039, at an average annual growth rate of 0.8%.

Exhibit 21. Forecast of Population Growth, Oregon City city limits, 2021–2041³⁴

Source: 2020-2050 Distributed Forecast (March 2021) Oregon Metro Research Center.

36,891	46,743	9,852	27% increase
Residents in 2021	Residents in 2041	New residents 2021-2041	1.19% AAGR

³⁴ Metro develops population forecasts for Oregon City's city limits, as shown in Exhibit 21. The dwelling unit forecast shown in Exhibit 60 includes the forecast for Oregon City's planning area, which includes the city limits and urban growth management area. Metro does not develop a population forecast for the urban growth management areas, so they are not included in Exhibit 21.

The reason for inclusion forecast of new dwelling units in these TAZ (in Exhibit 60) is that Oregon City has large areas that are currently planned for housing growth that are outside the city limits and will be annexed into the city. These include the South End Concept Plan area and the Park Place Concept Plan. These areas are included in the buildable land inventory, requiring including the growth expected in these areas in the forecast for new dwelling units in Exhibit 60.

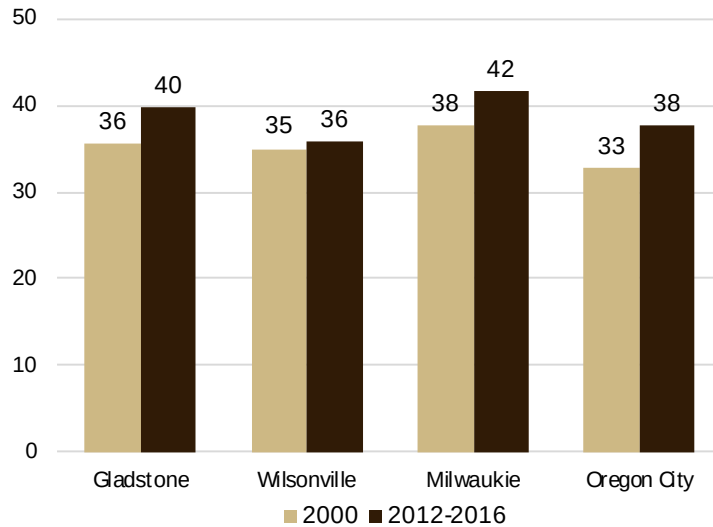
To compare the forecast of new population forecast for the 2021-2041 period with forecast of new dwelling units, one must compare the number of population growth within the city limits (9,852 new residents) with the new dwelling unit forecast in Exhibit 60 for the city limits (5,792 new dwelling units). A comparison of the two suggests an average household size of about 1.7 persons per dwelling unit, reflecting decreases in household size in the future with expected growth of more single-person households.

Aging Population

From 2000 to 2012-2016, Oregon City's median age increased by five years from 33 to 38.

Exhibit 22. Median Age, Years, Oregon City, Gladstone, Wilsonville, Milwaukie, 2000 to 2012-2016

Source: U.S. Census Bureau, 2000 Decennial Census Table B01002, 2012-2016 ACS, Table B01002.

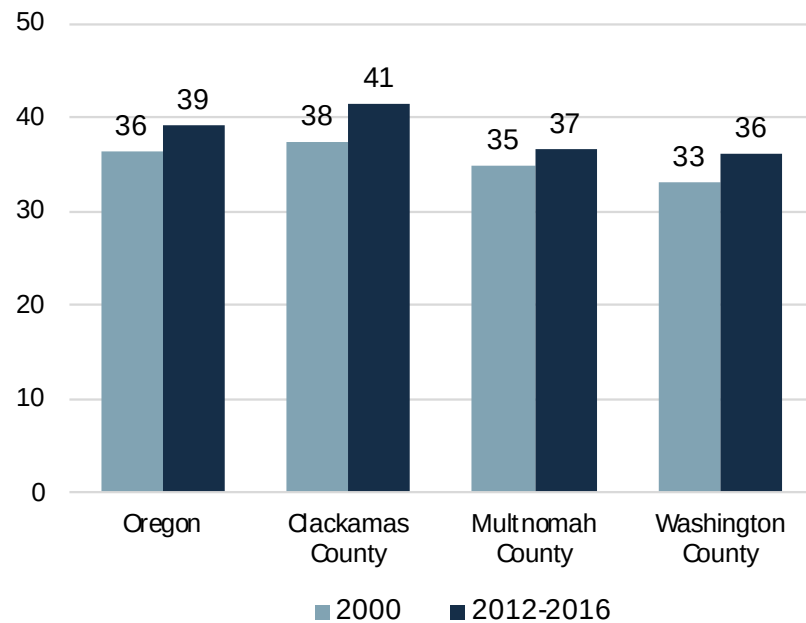


From 2000 to 2012-2016, Clackamas County's median age increased by three years.

The median age of Clackamas County residents is slightly higher than the media age of nearby regions (Clackamas and Washington County).

Exhibit 23. Median Age, Years, Oregon, Clackamas County, Multnomah County, Washington County, 2000 to 2012-2016

Source: U.S. Census Bureau, 2000 Decennial Census Table B01002, 2012-2016 ACS, Table B01002.

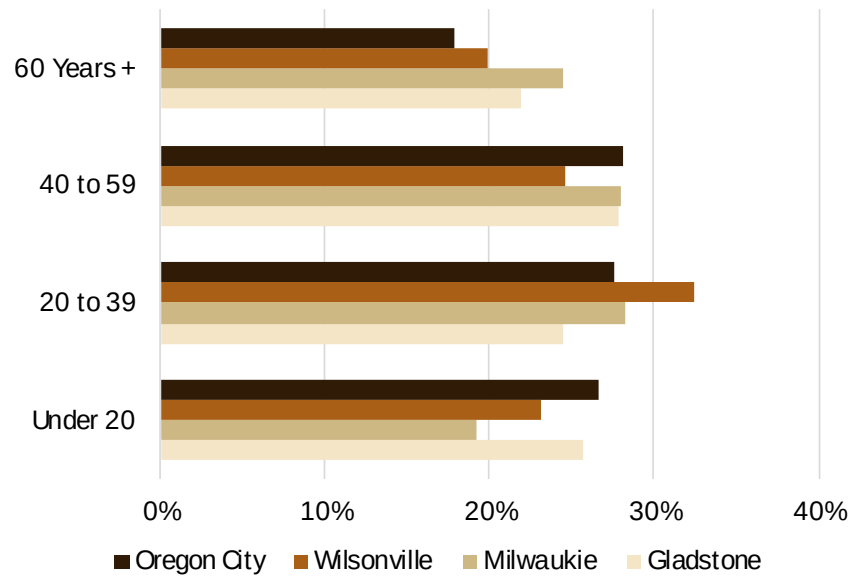


The majority of residents in Oregon City were between 20 to 59 years old.

Oregon City had a lower share (18%) of residents over 60 years of age than other comparator cities.

Exhibit 24. Population Distribution by Age, Oregon City, Gladstone, Wilsonville, Milwaukie, 2012-2016

Source: U.S. Census Bureau, 2012-2016 ACS, Table B01001.

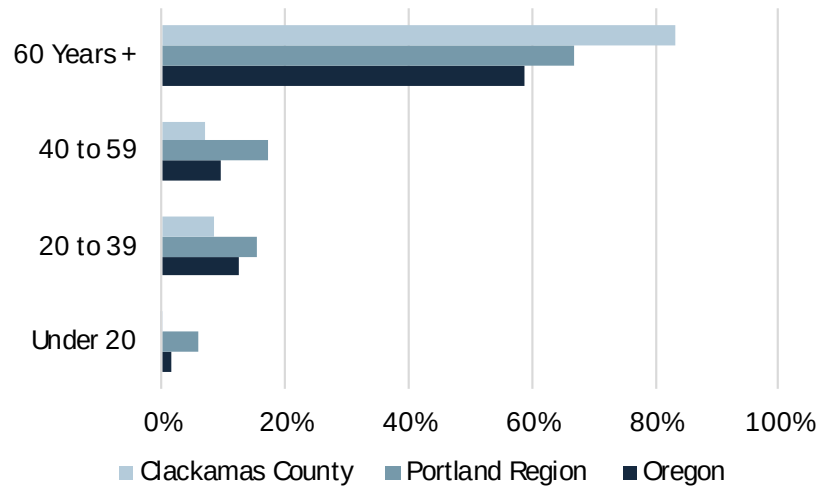


The senior population in Clackamas County (those aged 60 and older) grew faster than any other age cohort. From 2000 to the 2012-2016 period, the population aged 60 and older grew by 83% in Clackamas County, compared to 67% in the Portland Region, and 59% in Oregon. By 2040, people over 60 in Clackamas County will account for 27% of the population.

Between 2000 and 2012-2016, all age groups in Clackamas County grew in size. The most substantial change was growth in residents aged 60 and older.

Exhibit 25. Population Growth by Age, Clackamas County, Portland Region, Oregon, 2000 to 2012-2016

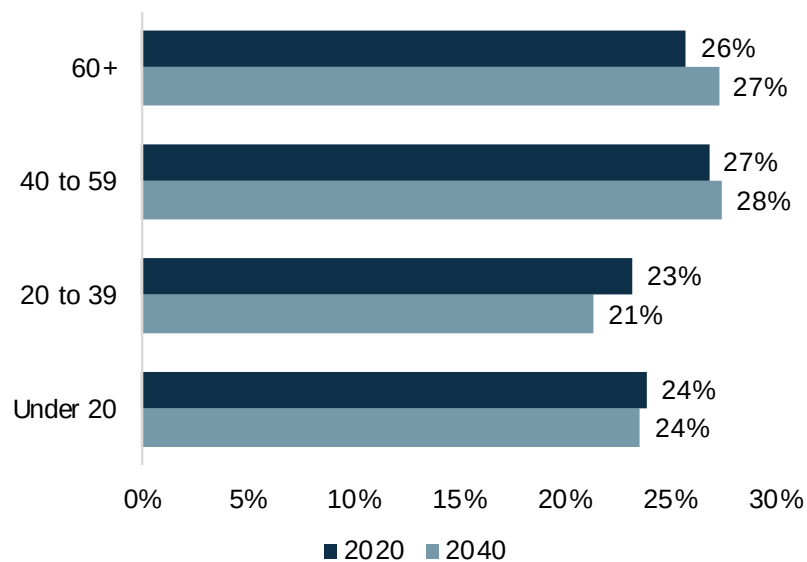
Source: U.S. Census Bureau, 2000 Decennial Census Table P012 and 2012-2016 ACS, Table B01001.



By 2040, Clackamas County residents over the age of 40 will make up 55% of the County's total population.

Exhibit 26. Population Growth by Age Group, Clackamas County, 2020 to 2040

Source: Portland State University, Population Research Center, Clackamas County Forecast, June 2017.



Growth in Latino Population

The U.S. Census Bureau forecasts that at the national level, the Latino (e.g., Latino/a and Hispanic) population will continue growing faster than most other non-Latino population over the planning period. The Latino population will increase 93% from 2016 to 2060 and foreign-born Latino population will increase by about 40% in that same time.³⁵

Continued growth in the Latino population will affect Oregon City's housing needs in a variety of ways. Growth in first and, to a lesser extent, second and third generation Latino immigrants, will increase demand for larger dwelling units to accommodate the, on average, larger household sizes for these households. In that, Latino households are twice likely to include multiple generations households than the general populace.³⁶ In third and later generations of Hispanic or Latino immigrant households, size typically decreases and housing needs become similar to overall housing needs for households within the community.

According to the *State of Hispanic Homeownership* report from the National Association of Hispanic Real Estate Professionals,³⁷ the Latino population accounted for 31.4% of the nation's net new household formations in 2019, up 2.8 percentage points from 2017. The rate of homeownership for Latino households increased from 45.6% in 2015 to 47.5% in 2019. In that time (2015 to 2019), Latino households were the only demographic that increased their rate of homeownership.

³⁵ U.S. Census Bureau, *Demographic Turning Points for the United States: Population Projections for 2020 to 2060*, pg. 7, https://www.census.gov/content/dam/Census/library/publications/2018/demo/P25_1144.pdf

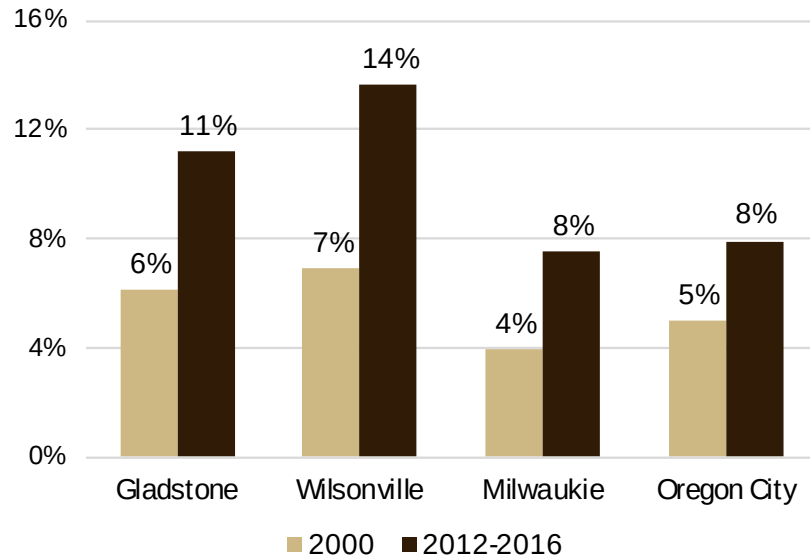
³⁶ Pew Research Center. *Second-Generation Americans: A Portrait of the Adult Children of Immigrants*, February 7, 2013, Appendix 8. Retrieved from: <http://www.pewsocialtrends.org/2013/02/07/appendix-1-detailed-demographic-tables/>.

National Association of Hispanic Real Estate Professionals (2019). *2019 State of Hispanic Homeownership Report*. Retrieved from: <https://nahrep.org/shhr/>

³⁷ National Association of Hispanic Real Estate Professionals (2019). *2019 State of Hispanic Homeownership Report*. Retrieved from: <https://nahrep.org/downloads/2018-state-of-hispanic-homeownership-report.pdf>

Between 2000 and 2012-2016, the share of the population that identified as Latino increased by 3% in Oregon City.

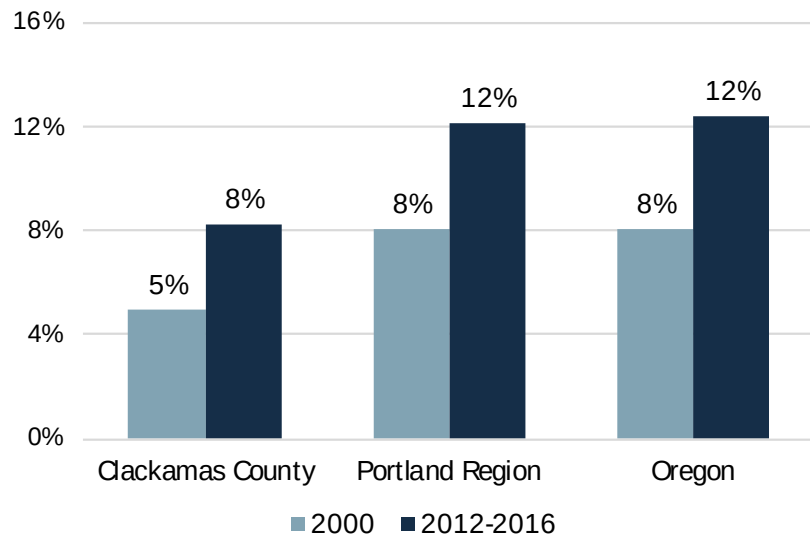
Exhibit 27. Latino Population as a Percent of the Total Population, Oregon City, Gladstone, Wilsonville, Milwaukie, 2000 to 2012-2016
Source: U.S. Census Bureau, 2000 Decennial Census Table P008, 2012-2016 ACS Table B03002.



The share of Clackamas County's population that was Latino increased by 3% between 2000 and 2012-2016.

Comparatively, the share of Latino increased by 4% in the Portland Region and in Oregon.

Exhibit 28. Latino Population as a Percent of the Total Population, Clackamas County, Portland Region, Oregon, 2000 to 2012-2016
Source: U.S. Census Bureau, 2000 Decennial Census Table P008, 2012-2016 ACS Table B03002.



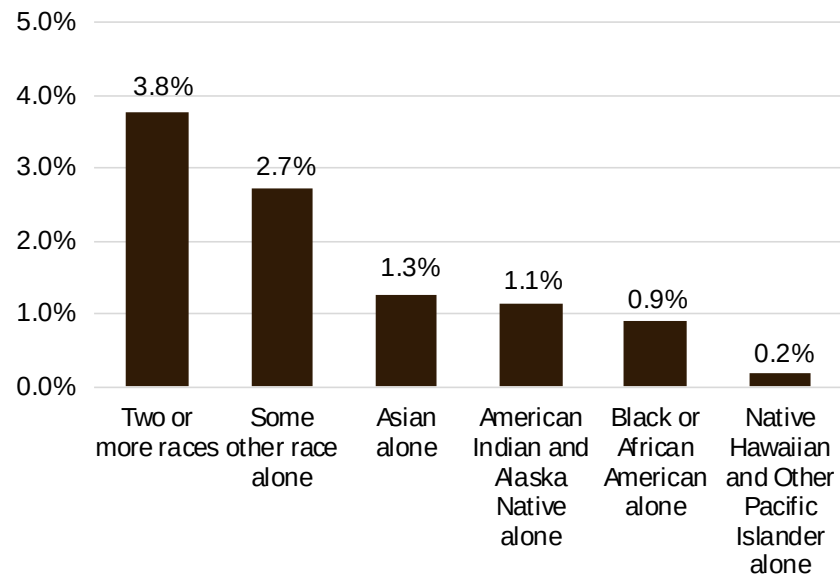
Racial Diversity

About 90% of Oregon City's population identified as White-alone.

The next largest population group identified as Two or More Races (3.8%).

Exhibit 29. Population by Race (excluding White Alone) as a Percent of Total Population, Oregon City, 2012-2016

Source: U.S. Census Bureau, 2012-2016 ACS Table B02001.

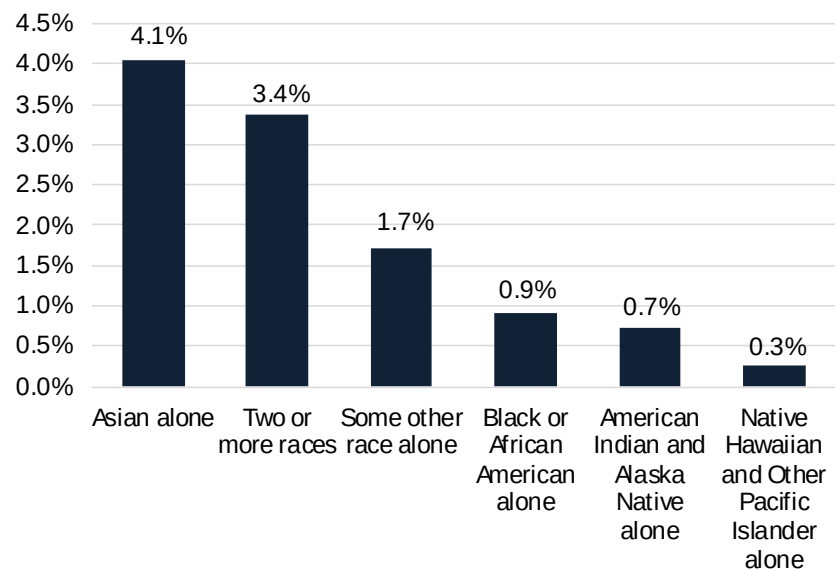


About 89% of Clackamas County's population identified as White-alone.

The next largest population group identified as Asian-alone (4.1%).

Exhibit 30. Population by Race (excluding White Alone) as a Percent of Total Population, Clackamas County, 2012-2016

Source: U.S. Census Bureau, 2012-2016 ACS Table B02001.

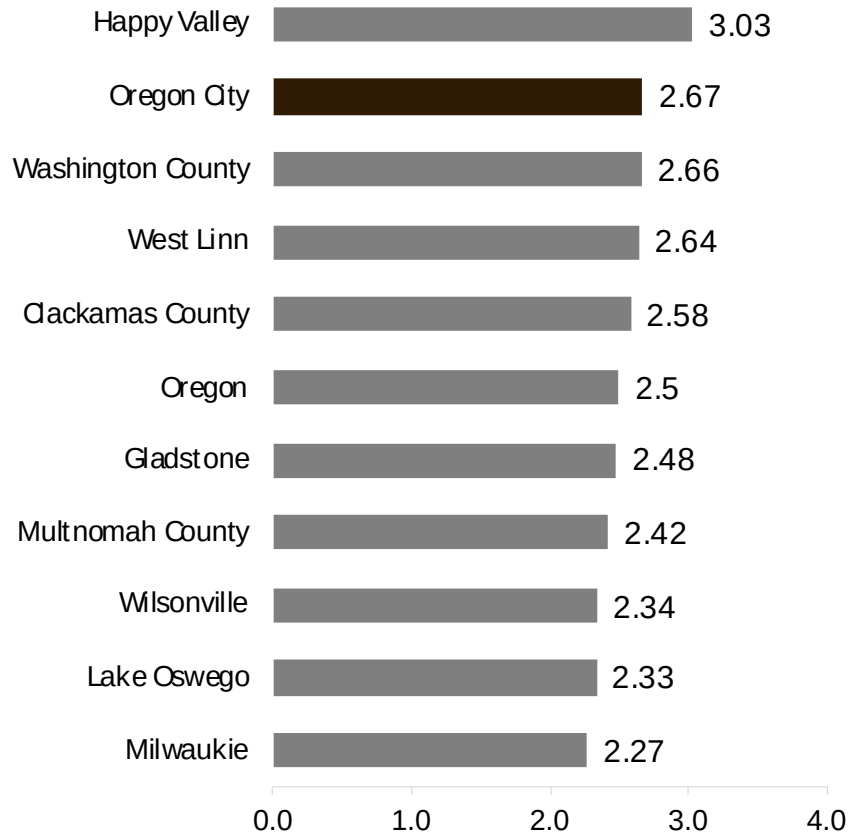


Household Size and Composition

In the 2013-2017 period, Oregon City's average household size was 2.67 persons per household.

Exhibit 31. Average Household Size, 2013-2017

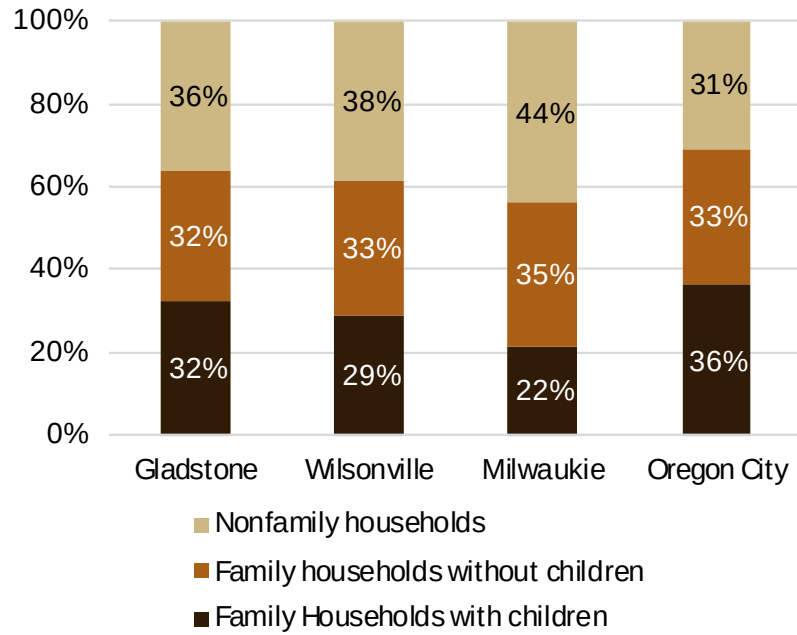
Source: U.S. Census Bureau, 2013-2017 ACS 5-year estimate, Table B25010.



In the 2012-2016 period, 36% of Oregon City households were non-family households (e.g., single-person households or households composed of roommates).

Exhibit 32. Household Composition, Oregon City, Wilsonville, Milwaukie, Oregon City, 2012-2016

Source: U.S. Census Bureau, 2012-2016 ACS 5-year estimate, Table DP02.



Income of Residents

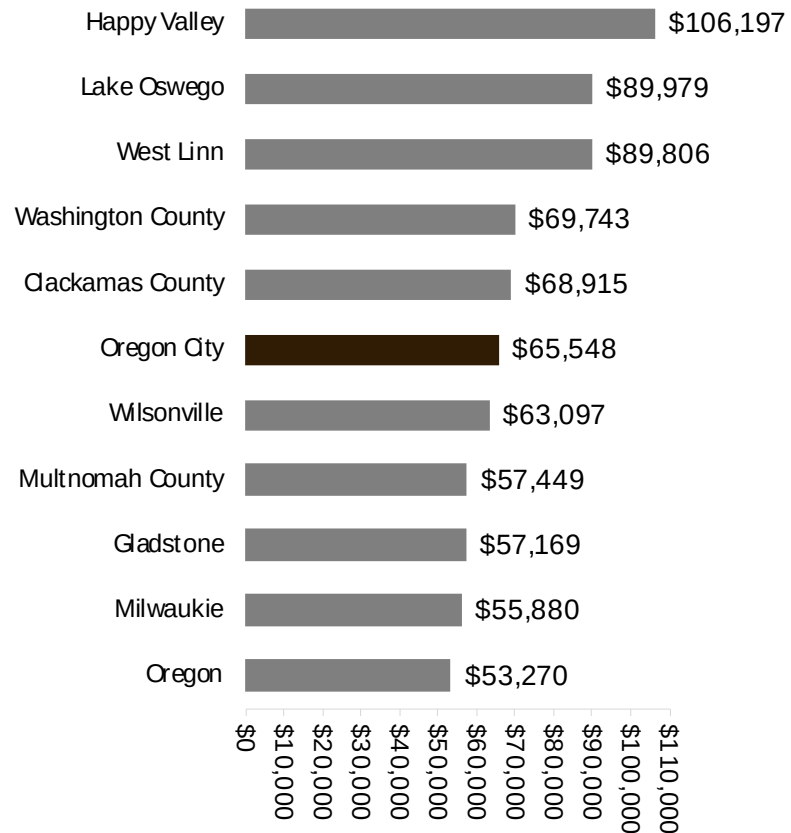
Income is a key determinant in housing choice and households' ability to afford housing.

In the 2012-2016 period, Oregon City's median household income (MHI) was \$65,548.

Oregon City's MHI was slightly below Clackamas County's MHI of \$68,915.

Exhibit 33. Median Household Income, 2012-2016

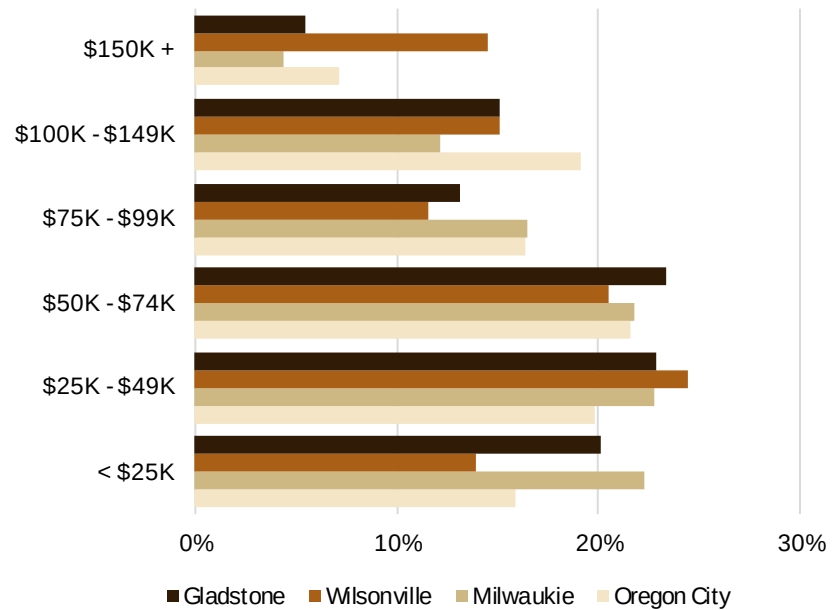
Source: U.S. Census Bureau, 2012-2016 ACS 5-year estimate, Table B25119.



In Oregon City, 26% of households earned \$100,000 or more.

Exhibit 34. Household Income, Oregon City, Gladstone, Wilsonville, Milwaukie, 2012-2016

Source: U.S. Census Bureau, 2012-2016 ACS 5-year estimate, Table B19001.



Commuting Trends

Oregon City is part of the complex, interconnected economy of Clackamas County and the greater Portland region.

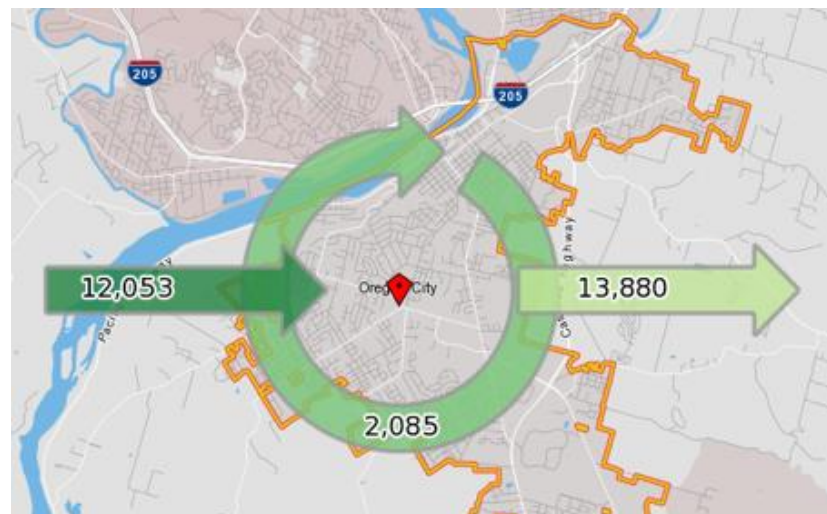
Oregon City is part of an interconnected regional economy.

More than 12,000 people commute into Oregon City for work, and almost 14,000 people living in Oregon City commute out of the city for work.

About 2,000 people both live and work in the City.

Exhibit 35. Commuting Flows, Oregon City, 2015

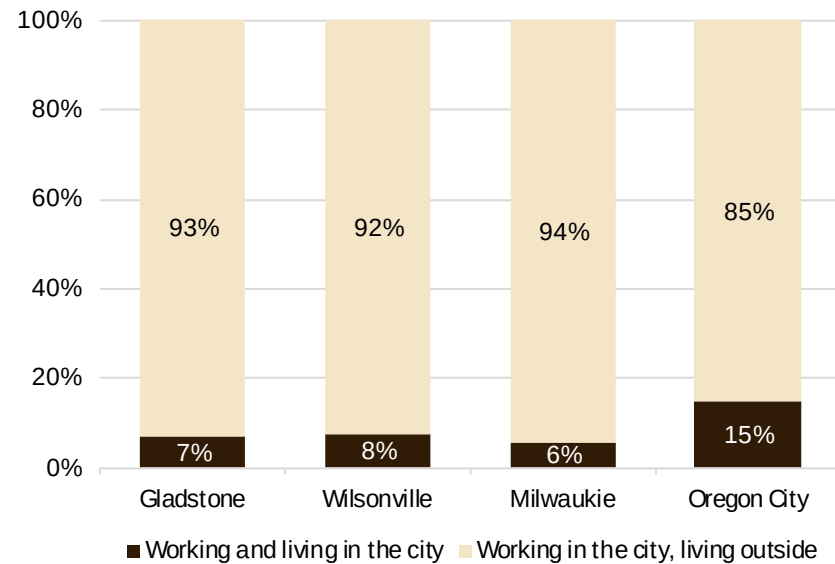
Source: U.S. Census Bureau, Census On the Map.



Of the people who work in Oregon City, 85% live outside of the city.

Exhibit 36. Commuting Flows of People Who Work in Oregon City, Gladstone, Wilsonville, Milwaukie, 2015

Source: U.S. Census Bureau, Census On the Map.

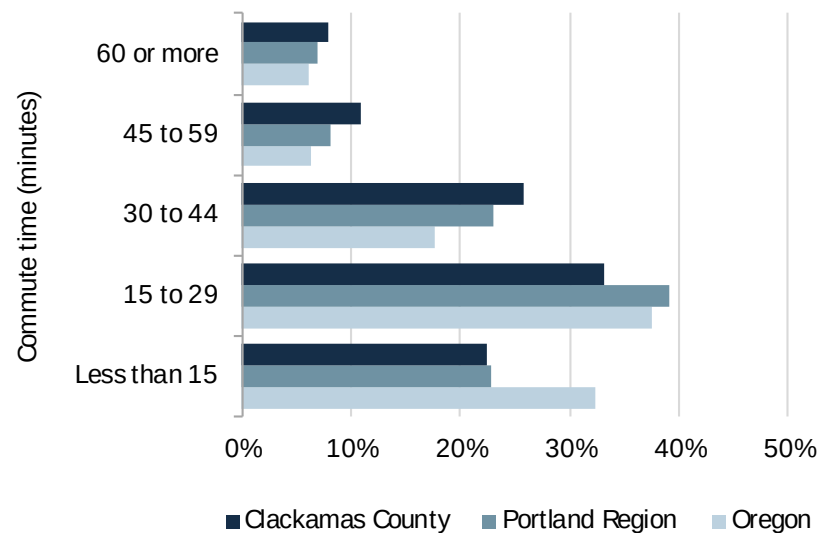


The majority of residents in Clackamas County, the Portland Region, and Oregon had a commute time that took less than 30 minutes.

In Clackamas County, 56% of residents had a commute time of less than 30 minutes, compared to 62% for the Portland Region and 70% for Oregon.

Exhibit 37. Commute Time by Place of Residence, Clackamas County, Portland Region, Oregon, 2012-2016

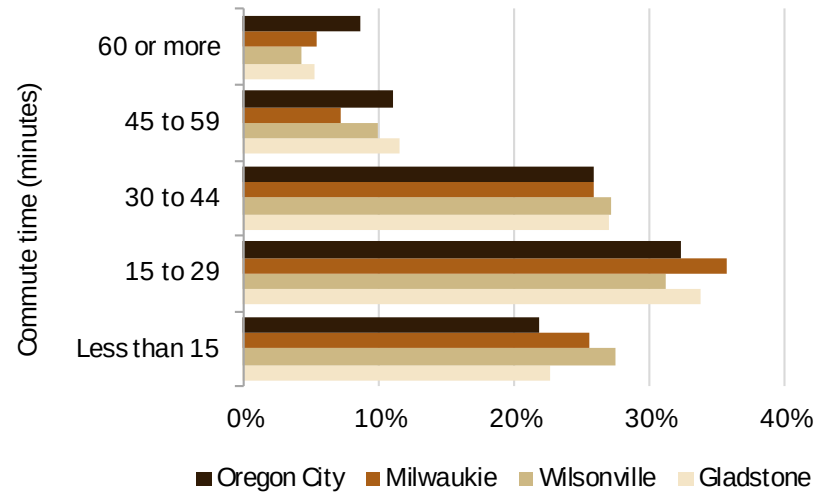
Source: U.S. Census Bureau, 2012-2016 ACS 5-year estimate, Table B08303.



The majority of residents in Oregon City had commute times of less than 30 minutes.

Exhibit 38. Commute Time by Place of Residence, Oregon City, Gladstone, Wilsonville, Milwaukie, 2012-2016

Source: U.S. Census Bureau, 2012-2016 ACS 5-year estimate, Table B08303.



Regional and Local Trends Affecting Housing Affordability

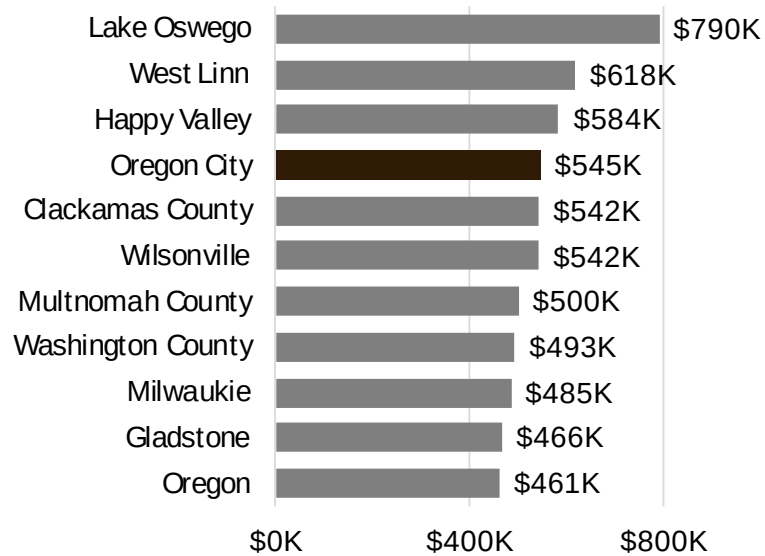
This section describes changes in sales prices, rents, and housing affordability by jurisdiction.

Changes in Housing Costs

In April 2021, Oregon City had a median home sales price of \$545k, which was below that of some other city comparators and similar to Clackamas County (\$542k), but well above the state's median of \$461k.

Exhibit 39. Median Home Sale Price, April 2021

Source: Redfin.

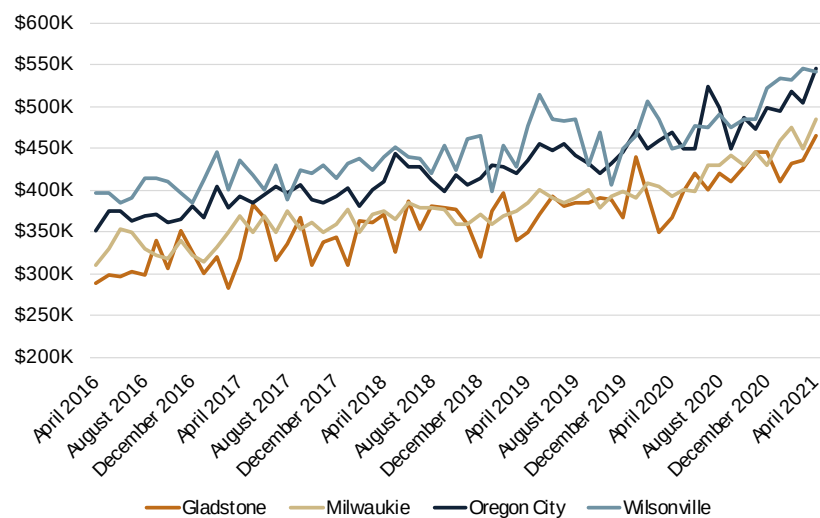


Median home sales prices in Oregon City have increased since April 2016.

In April of 2021, Oregon City had a median home sales price of \$545k.

Exhibit 40. Median Sales Price, Gladstone, Wilsonville, Milwaukie, Oregon City, April 2016 – April 2021

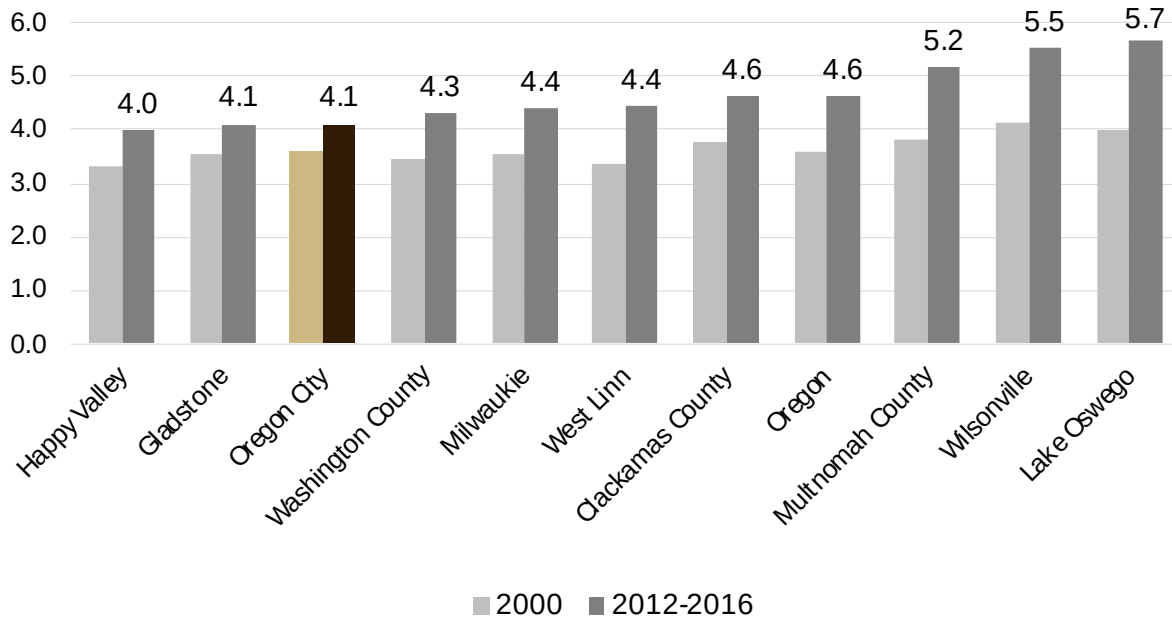
Source: Redfin.



Since 2000, housing costs in nearly all Clackamas County geographies increased faster than incomes. Oregon City's median housing value to household income increased from 3.6 to 4.1.

Exhibit 41. Ratio of Median Housing Value to Median Household Income, 2000 to 2012-2016³⁸

Source: U.S. Census Bureau, 2000 Decennial Census, Tables HCT012 and H085, and 2012-2016 ACS, Tables B19013 and B25077.



³⁸ This ratio compares the median value of housing in Clackamas County (and other places) to the median household income.

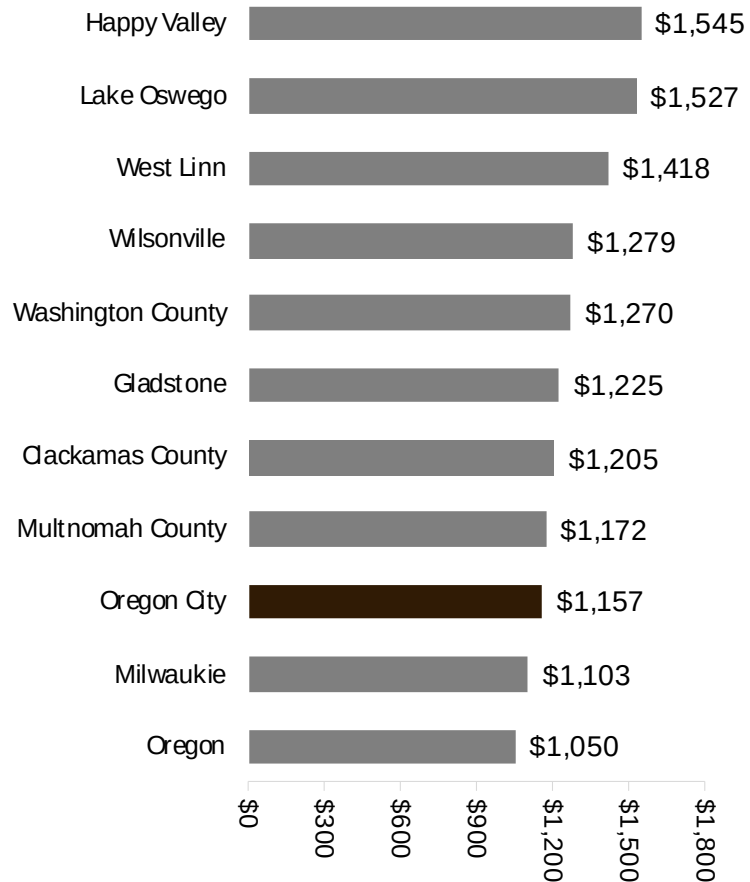
Rental Costs

The median gross rent in Oregon City was \$1,157.

In the 2014-2018 period, rent in Oregon City was comparable to the median rent for Clackamas County as a whole.

Exhibit 42. Median Gross Rent, Oregon City and Comparison Areas, 2014-2018

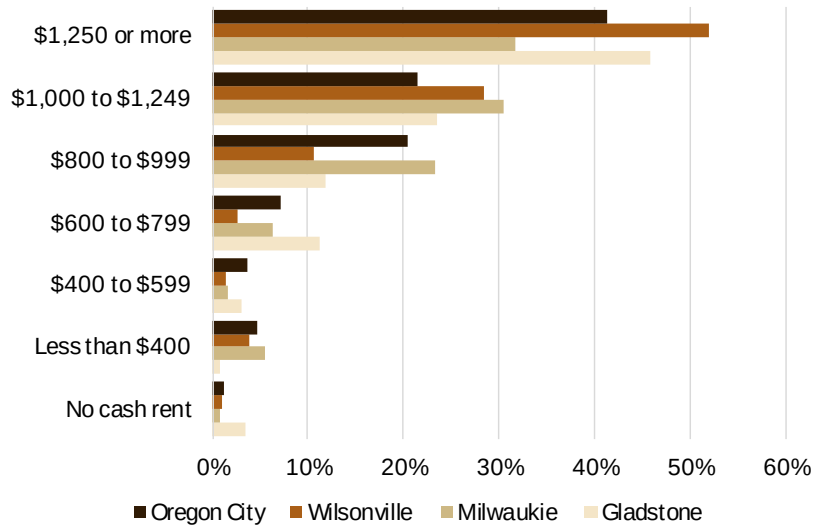
Source: U.S. Census Bureau, 2014-2018 ACS 5-year estimate, Table B25064.



In Oregon City, nearly two-thirds of renters paid more than \$1,000 a month in rent.

Exhibit 43. Gross Rent, Oregon City, Gladstone, Wilsonville, Milwaukie, 2014-2018

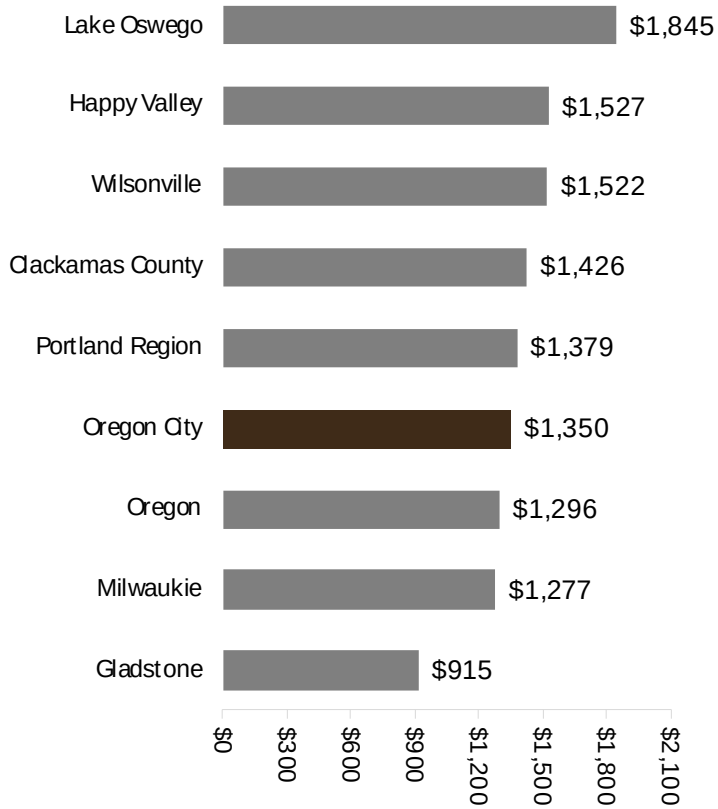
Source: U.S. Census Bureau, 2014-2018 ACS Table B25063.



Oregon City's average multifamily rent was slightly lower than Clackamas County's average rent.

Exhibit 44. Average Effective Multifamily Rent, Oregon City and Comparison Areas, June 2021

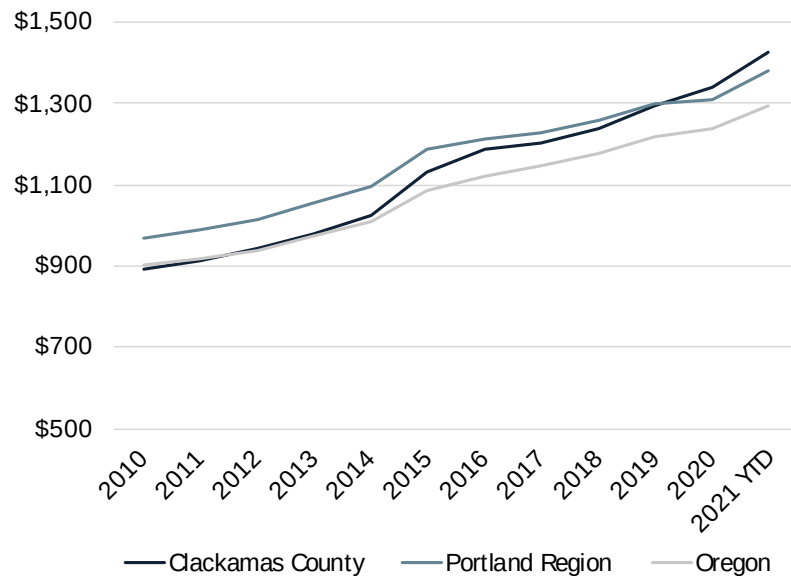
Source: Costar.



From 2010 to June 2021, average effective rents per unit increased from \$894 to \$1,436 in Clackamas County, \$970 to \$1,379 in the Portland Region, and \$903 to \$1,296 in Oregon.

Exhibit 45. Average Effective Multifamily Rent, Clackamas County, Portland Region, Oregon, 2010 through June 2021

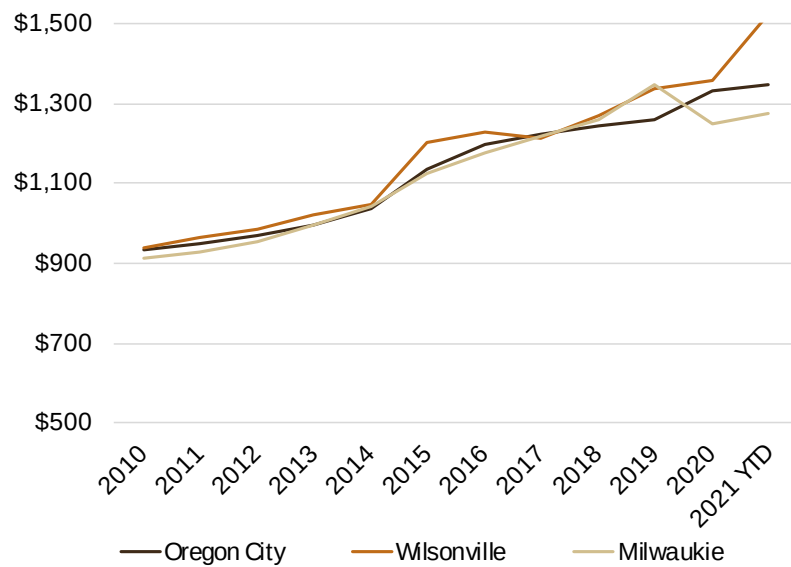
Source: Costar.



From 2010 to 2021, average effective rent per unit increased from \$933 to \$1,350 in Oregon City, \$940 to \$1,522 in Wilsonville, and \$914 to \$1,277 in Milwaukie

Exhibit 46. Average Effective Multifamily Rent, Oregon City, Wilsonville, Milwaukie, 2010 through June 2021

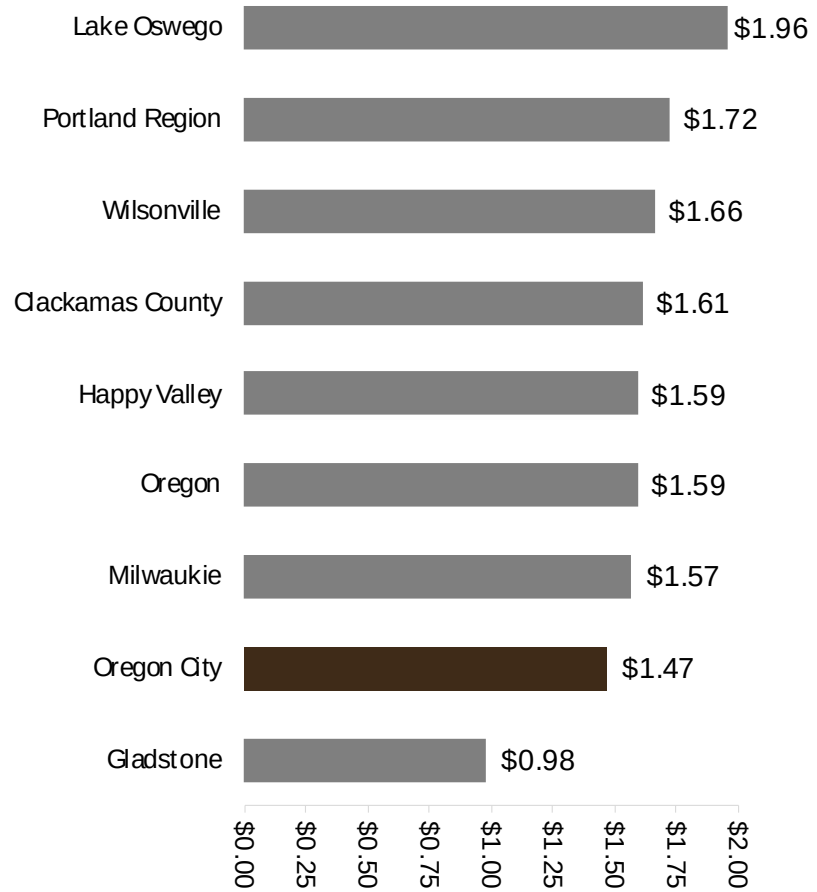
Source: Costar.



In June 2021, Oregon City's average effective multifamily rent per sq. ft. was \$1.47.

Exhibit 47. Average Effective Multifamily Rent per Square Foot, Oregon City and Comparison Areas, June 2021

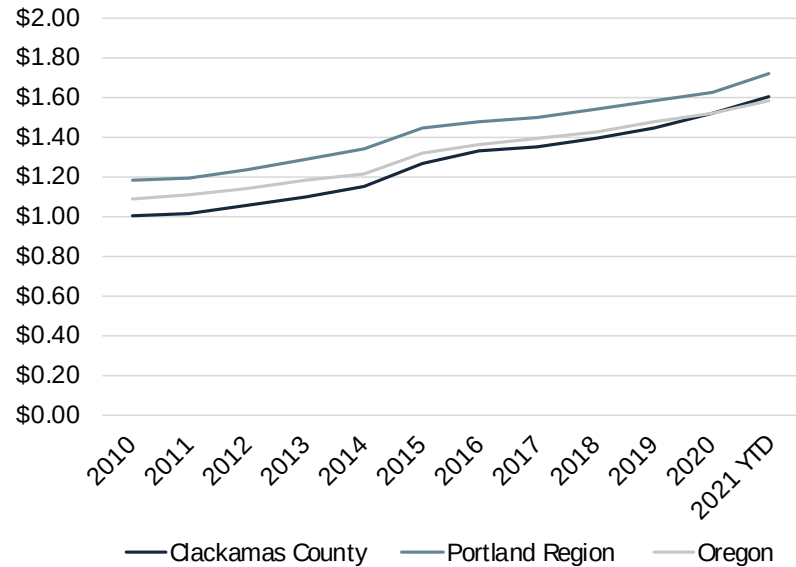
Source: Costar.



From 2010 to June 2021, average effective rent per square foot increased from \$1.00 to \$1.61 in Clackamas County, \$1.18 to \$1.72 in the Portland Region, and \$1.09 to \$1.59 in Oregon.

Exhibit 48. Average Effective Multifamily Rent per Square Foot, Clackamas County, Portland Region, Oregon, 2010 through June 2021

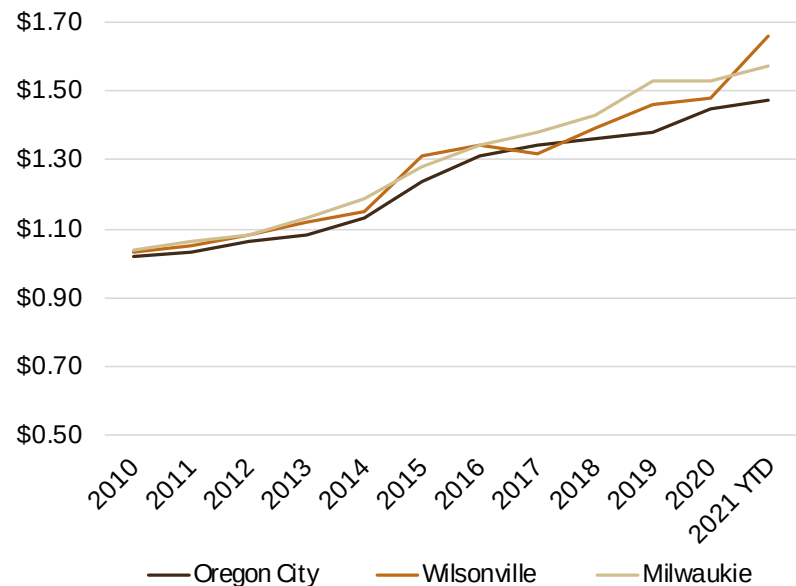
Source: Costar.



From 2010 to June 2021, average effective rent per square foot increased from \$1.02 to \$1.47 in Oregon City, \$1.03 to \$1.66 in Wilsonville, and \$1.04 to \$1.57 in Milwaukie.

Exhibit 49. Average Effective Multifamily Rent per Square Foot, Oregon City, Wilsonville, Milwaukie, 2010 through June 2021

Source: Costar.



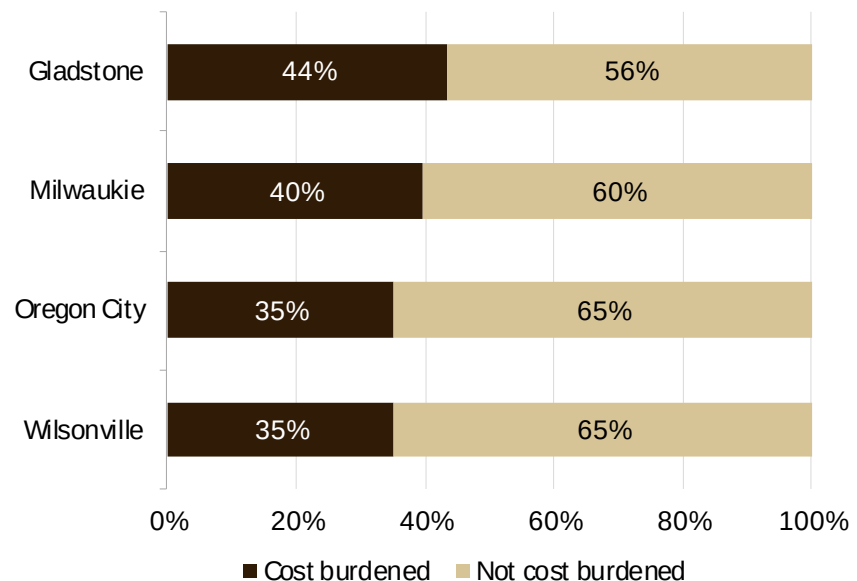
Housing Affordability

A typical standard used to determine housing affordability is that a household should pay no more than a certain percentage of household income for housing, including payments and interest or rent, utilities, and insurance. The Department of Housing and Urban Development's guidelines indicate that households paying more than 30% of their income on housing experience "cost burden," and households paying more than 50% of their income on housing experience "severe cost burden." Using cost burden as an indicator for housing affordability is consistent with the Goal 10 requirement to provide housing that is affordable to all households in a community.

Over a third of Oregon City's residents were cost burdened in the 2012-2016 period.

Exhibit 50. Housing Cost Burden by Tenure, Oregon City, Gladstone, Wilsonville, and Milwaukie, 2012-2016

Source: U.S. Census Bureau, 2012-2016 ACS Tables B25091 and B25070.

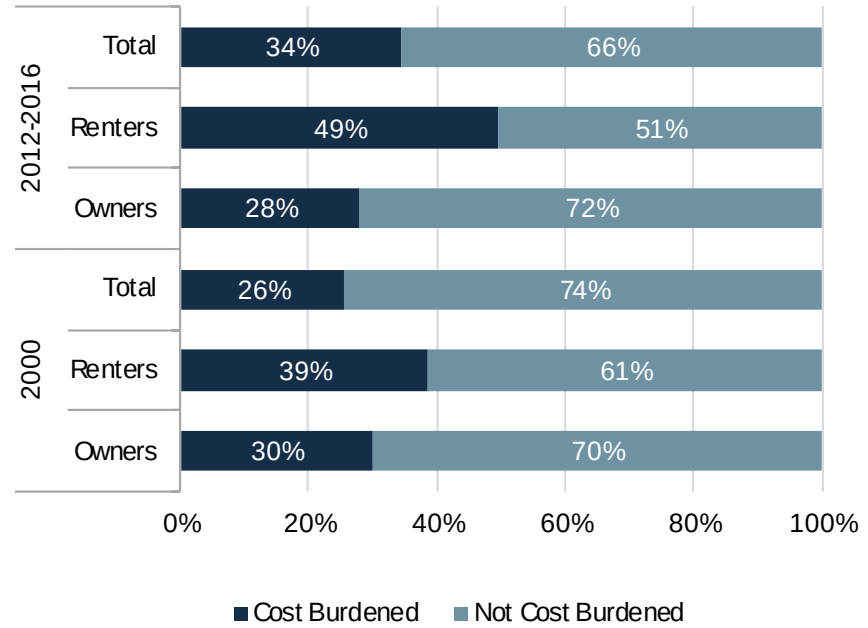


Across Clackamas County, renters were more likely to be cost burdened than homeowners.

Between the 2000 and 2012-2016 time period, the share of total cost-burdened households rose from 26% in 2000 to 34% in 2012-2016.

Exhibit 51. Housing Cost Burden by Tenure, Clackamas County, 2000, 2012-2016

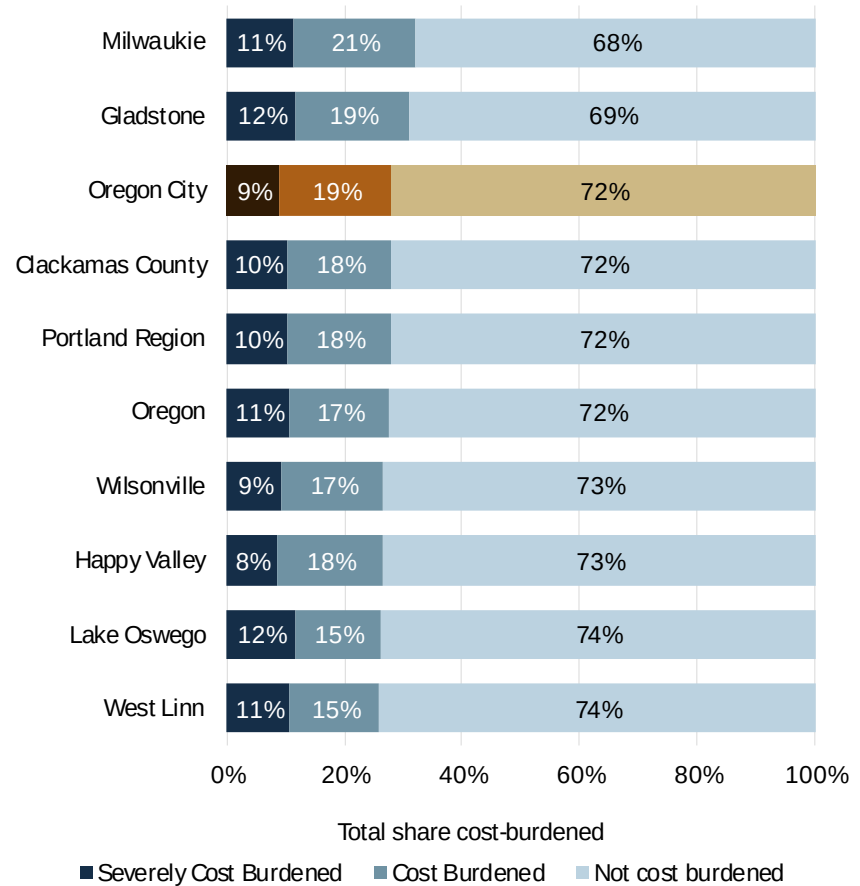
Source: U.S. Census Bureau, 2000 Census Table H069, 2012-2016 ACS Tables B25091 and B25070.



Nearly 30% of Oregon City's cost burdened homeowner households were cost burdened, spending more than 30% or more of their income on housing costs.

Nine percent of the city's homeowner households were severely cost burdened, spending 50% or more of their income on housing costs.

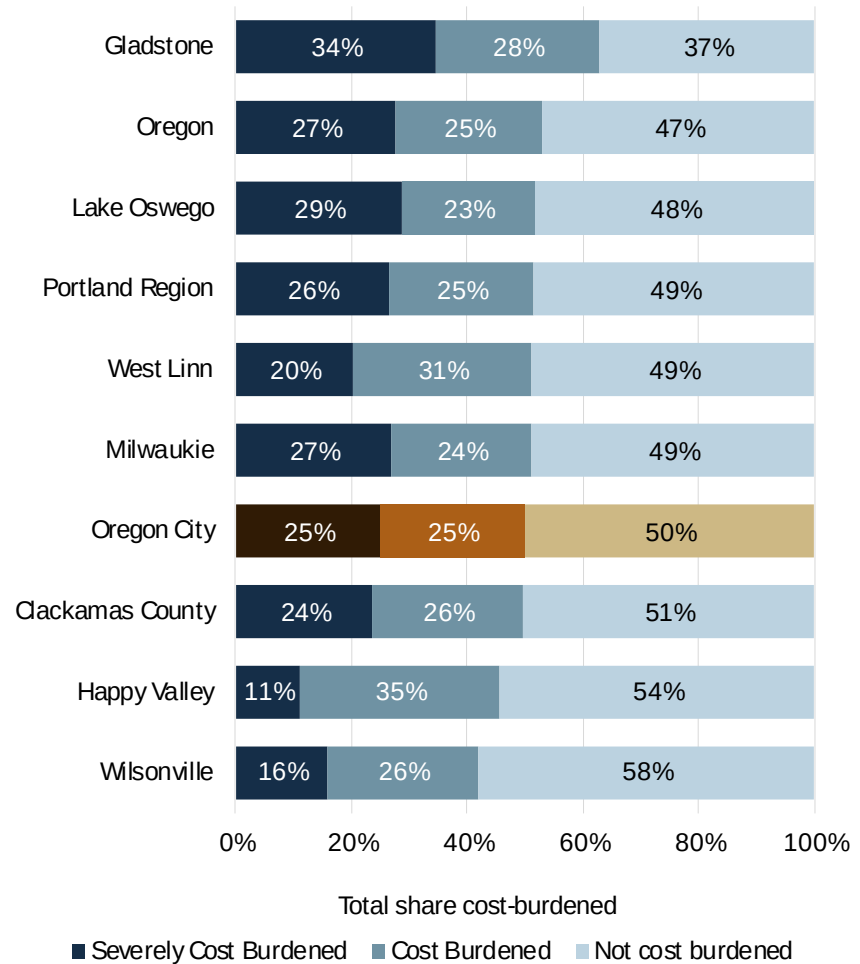
Exhibit 52. Cost Burden Rates for Homeowner Households, 2012-2016
Source: U.S. Census Bureau, 2012-2016 ACS Table B25091.



Half of Oregon City's renter households were cost burdened, spending 30% of their income on housing costs.

Twenty-five percent of the city's renter households were *severely* cost burdened, spending 50% or more of their income on housing costs.

Exhibit 53. Cost Burden Rates for Renter Households, 2012-2016
Source: U.S. Census Bureau, 2012-2016 ACS Table B25070.



While cost burden is a common measure of housing affordability, it does have some limitations. Two important limitations are:

- A household is defined as cost burdened if the household's housing costs exceed 30% of the household's income. The remaining 70% of income is expected to be spent on non-discretionary expenses, such as food or medical care, and on discretionary expenses. Households with higher incomes may be able to pay more than 30% of their income on housing without impacting the household's ability to pay for necessary non-discretionary expenses.
- Cost burden compares income to housing costs and does not account for accumulated wealth. As a result, the estimate of how much a household can afford to pay for housing does not include the impact of a household's accumulated wealth. For example, a household of retired people may have relatively low income but may have accumulated assets (such as profits from selling another house) that allow them to purchase a house that would be considered unaffordable to them based on the cost burden indicator.

Another way of exploring the issue of financial need is to review housing affordability at varying levels of household income.

Fair Market Rent for a 2-bedroom apartment in Clackamas County is \$1,495.

Exhibit 54. HUD Fair Market Rent (FMR) by Unit Type, Clackamas County,³⁹ 2020

Source: U.S. Department of Housing and Urban Development.

\$1,192	\$1,289	\$1,495	\$2,157	\$2,625
Studio	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom

A household must earn at least \$28.75 per hour to afford a two-bedroom unit in Clackamas County.

Before taxes, a full-time job at \$28.75 per hour is an annual salary of \$59,800.

Exhibit 55. Affordable Housing Wage, Clackamas County, 2020

Source: U.S. Department of Housing and Urban Development. Oregon Bureau of Labor and Industries.

\$28.75 per hour

Affordable Housing Wage for two-bedroom Unit in Clackamas County

³⁹ HUD reports 2020 fair market rents and median family income from the Portland-Vancouver-Beaverton MSA for Clackamas County.

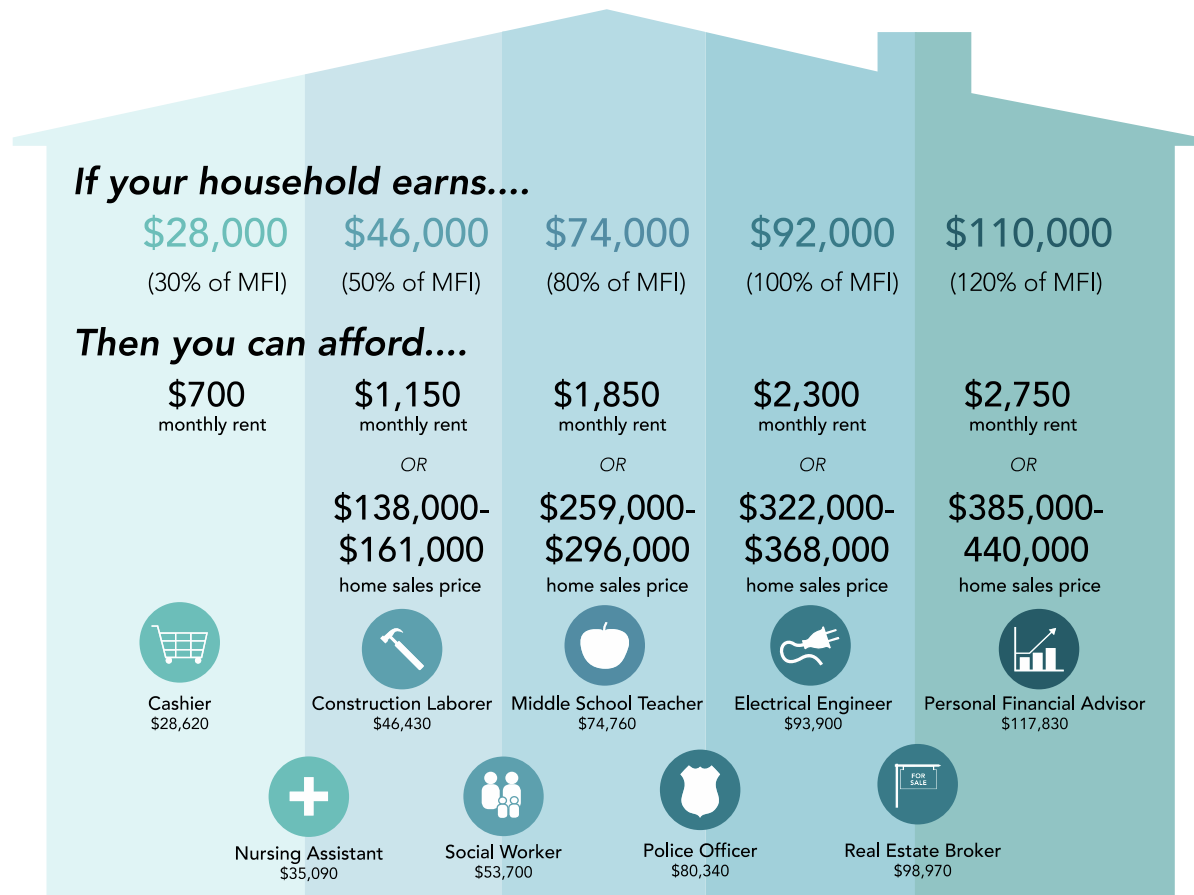
Exhibit 56 shows housing affordability based on incomes for Clackamas County. The regional Median Family Income (MFI) is used by HUD as a way to understand the differences in housing affordability in different places across the nation. In Clackamas County (and the rest of the Portland region), the MFI for a family of four is \$92,000. A household earning the median family income (\$92,000) can afford a monthly rent of about \$2,300 or a home roughly valued between \$322,000 and \$368,000.

A household would need to have income of about \$136,000, or 148% of MFI for Clackamas County to afford a house at the Oregon City's median home sale price of \$545,000. About 18% of households in Oregon City can afford housing at this cost.

A household would need to have income of about \$60,000 (about 65% of MFI) to afford the average asking rent for multifamily housing of nearly \$1,350, plus basic utilities like power, heat, and water. About 64% of households in Oregon City can afford housing at this cost.

Exhibit 56. Financially Attainable Housing, by Median Family Income (MFI) for Clackamas County (\$92,100), Clackamas County, 2020

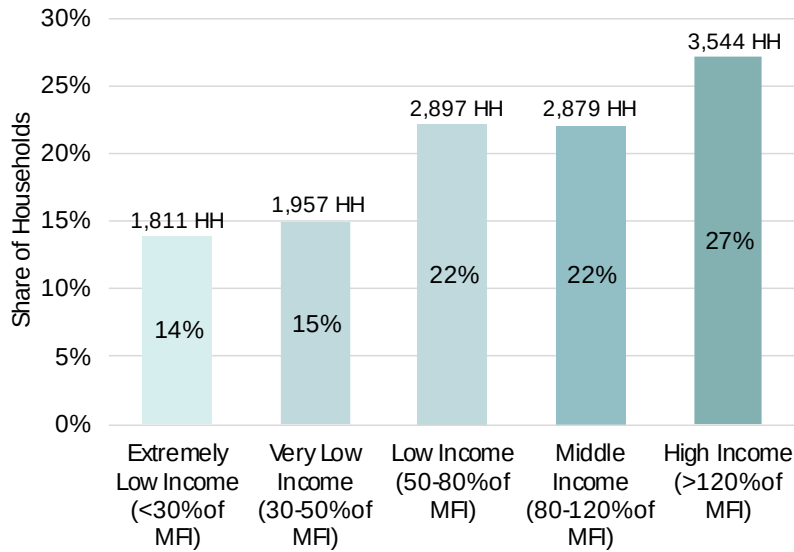
Source: U.S. Department of Housing and Urban Development 2020. U.S. Census Bureau, 2014-2018 ACS Table 19001. Note: MFI is Median Family Income; Clackamas County MFI is determined by HUD for the Portland MSA.



In Oregon City, about half (51%) of all households in Oregon City earned 80% or more of Clackamas County's median family income.

Exhibit 57. Share of Households, by Median Family Income (MFI) for Clackamas County (\$92,100), Oregon City, 2020

Source: U.S. Department of Housing and Urban Development, Clackamas County, 2020. U.S. Census Bureau, 2014-2018 ACS Table 19001.



Nearly a third (32%) of Clackamas County households earned 120% or more of median family income of \$92,100.

Exhibit 58. Share of Households, by Median Family Income (MFI) for Clackamas County (\$92,100), 2020

Source: U.S. Department of Housing and Urban Development, Clackamas County, 2020. U.S. Census Bureau, 2014-2018 ACS Table 19001.

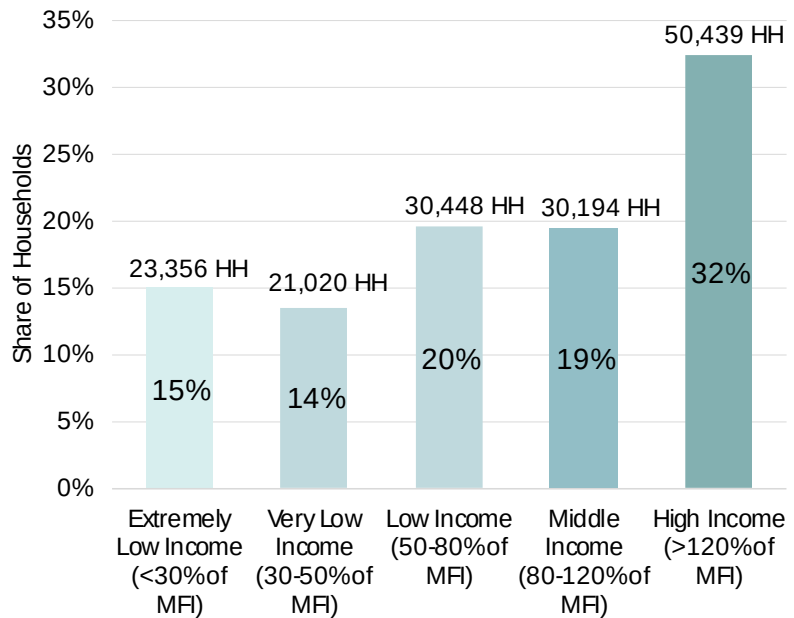
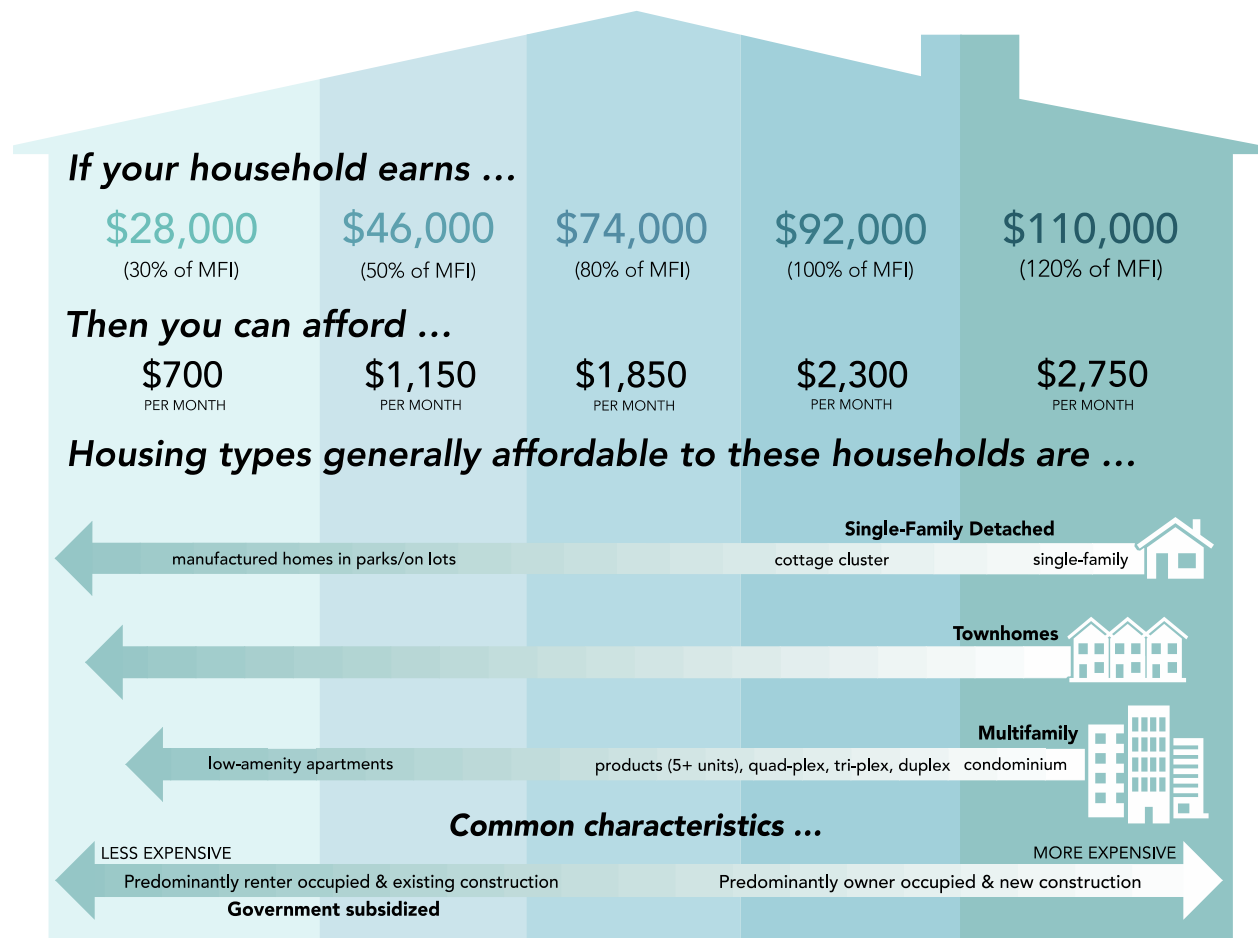


Exhibit 59 illustrates the types of financially attainable housing by income level. Generally speaking, lower-income households will be renters occupying existing housing. Newly built housing will be a combination of renters (most likely in multifamily housing) and homeowners. The types of housing affordable for the lowest-income households are limited to government-subsidized housing, manufactured housing, lower-cost single-family housing, and multifamily housing. The range of financially attainable housing increases with increased income.

Exhibit 59. Types of Financially Attainable Housing by Median Family Income (MFI) for Clackamas County (\$92,100), Oregon City, 2020

Source: U.S. Department of Housing and Urban Development, Clackamas County, 2020. *Note: MFI is Median Family Income; Clackamas County MFI is determined by HUD for the Portland MSA.*



5. Housing Need in Oregon City

Project New Housing Units Needed in the Next 20 Years

The results of the Housing Needs Analysis are based on (1) Metro's official household forecast for growth in Oregon City over the 20-year planning period, (2) information about Oregon City's housing market relative to Clackamas County and the Portland region, and (3) the demographic composition of Oregon City's existing population and expected long-term changes in the demographics of Clackamas County.

Forecast for Housing Growth

A 20-year household forecast (in this instance for 2021 to 2041) is the foundation for estimating the number of new dwelling units needed. The forecast for Oregon City is based on Metro's 2050 Household Distributed Forecast, 2021. Oregon City's city limits and UGB areas⁴⁰ will grow from 14,778 households in 2021⁴¹ to 22,213 households in 2041, an increase of 7,435 households.⁴²

Oregon City will have demand for 7,435 new dwelling units over the 20-year period, with an annual average growth of 372 dwelling units.

Exhibit 60. Forecast of Demand for New Dwelling Units, Oregon City Planning Area, 2021 to 2041⁴³

Source: Metro's 2050 Household Distributed Forecast, March 2021. Calculations by ECONorthwest.

Variable	New Dwelling Units (2021-2041)		
	City Limits	UGB Areas	Oregon City Planning Area (Total)
Household Forecast 2021	13,796	982	14,778
Household Forecast 2041	19,588	2,625	22,213
Total New Dwelling Units (2021-2041)	5,792	1,643	7,435
Annual Average of New Dwelling Units	290	82	372

⁴⁰ The UGB areas include the forecasted household growth in TAZs 726, 733, and 740.

⁴¹ Metro's 2050 Household Distributed Forecast shows that in 2020 the Oregon City city limits and UGB areas had 14,492 households. The Metro forecast shows these areas growing to 24,207 households in 2045, an average annual growth rate of 2.1% for the 25-year period. Using this growth rate, ECONorthwest extrapolated the forecast to 2021 (14,778 households) and 2041 (22,213 households).

⁴² This forecast is based on Oregon City city limits' and UGB areas' official household forecast from Metro for the 2021 to 2041 period.

⁴³ The dwelling unit forecast shown in Exhibit 60 includes the forecast for Oregon City's planning area, which includes the city limits and urban growth management area. The reason for inclusion forecast of new dwelling units in these TAZ is that Oregon City has large areas that are currently planned for housing growth that are outside the city limits and will be annexed into the city. These include the South End Concept Plan and the Park Place Concept Plan areas. These areas are included in the buildable land inventory, requiring including the growth expected in these areas in the forecast for new dwelling units in Exhibit 60.

Housing Units Needed

Exhibit 60 and Exhibit 61 presents a forecast of new housing in Oregon City's Planning Area for the 2021 to 2041 period. This section determines the mix and density needed to meet State requirements (OAR 660-007) and meet the housing needs of Oregon City residents.

The preliminary conclusion for Oregon City is that, over the next 20-years, the need for new housing developed in Oregon City will generally include a wider range of housing types and housing that is more affordable. This conclusion is based on the following findings:

- **Oregon City's housing mix, like Clackamas County's, is predominately single-family detached.** In the 2015-2019 period, 73% of Oregon City's housing was single-family detached, 7% was single-family attached, 6% was duplexes, triplexes, and quadplexes, and 13% was multifamily.
- **Demographic changes across the Portland Region (and in Oregon City) suggest increases in demand for single-family attached housing and multifamily housing.** The key demographic trends that will affect Oregon City's future housing needs are:
 - *The Baby Boomer's population is continuing to age.* The changes that affect Oregon City's housing demand as the population ages are that household sizes and homeownership rates decrease. The majority of Baby Boomers are expected to remain in their homes as long as possible, downsizing or moving when illness or other issues cause them to move. Demand for specialized senior housing, such as age-restricted housing or housing in a Continuum of Care from independent living to nursing home care, may grow in Oregon City.
 - *Millennials and Generation Z will continue to form households and make a variety of housing choices.* As Millennials and Generation Z age, generally speaking, their household sizes will increase, and their homeownership rates will peak by about age 55. Between 2020 and 2040, Millennials and Generation Z will be a key driver in demand for housing for families with children. The ability to attract these younger households will depend on the City's availability of affordable renter and ownership housing. It will also depend on the location of new housing in Oregon City as many Millennials prefer to live in more walkable neighborhoods.⁴⁴ The decline in homeownership among the Millennial generation has more to do with financial barriers rather than the preference to rent.⁴⁵ Housing preferences for Generation Z are not yet known but it is reasonable that they will also need affordable housing, both for rental and later in life for ownership.
 - *Latino population will continue to grow.* Latino population growth will be an important driver in growth of housing demand, both for owner- and renter-occupied housing.

⁴⁴ Choi, Hyun June; Zhu, Jun; Goodman, Laurie; Ganesh, Bhargavi; Storchak, Sarah. (2018). Millennial Homeownership, Why is it So Low, and How Can We Increase It? Urban Institute.
https://www.urban.org/research/publication/millennial-homeownership/view/full_report

⁴⁵ Ibid.

Growth in the Latino population will drive demand for housing for families with children. Latino households are disproportionately cost burdened when compared to the statewide average, in part because of lower household incomes. Growth in Latino households will also drive demand for affordable housing, both for ownership and renting, both for smaller units for one- and two-person households but also for larger family households, including multigenerational households.

- **About 35% of Oregon City’s households are cost burdened (paying 30% or more of their household income on housing costs).**⁴⁶ About 50% of Oregon City’s **renters** are cost burdened and about 28% of Oregon City’s **homeowners** are cost burdened. Cost burden rates in Oregon City are very similar to those in the Portland Region.
- **About 33% of Oregon City’s households are renters, 58% of whom live in multifamily housing.** Median rents in Oregon City are \$1,053 per month, compared to the \$1,091 median rent for Clackamas County as a whole.
 - A household earning 50% of Clackamas County’s median family income (\$46,000) could afford about \$1,150 per month in rent, compared with the average effective rent of \$1,350. However, about 19% of Oregon City’s housing stock is multifamily (2+ units), compared to 32% of the housing in the Portland Region. The comparatively small share of multifamily units may constrain opportunities to rent in Oregon City.
- **Housing sales prices increased in Oregon City over the last three years at a slightly faster rate than entire County.** From April 2016 to April 2021, the median housing sale price increased by \$194,600 (65%), from \$352,000 to \$545,000.⁴⁷ At the same time, the median housing home sale price in Clackamas County increased by \$171,700 (56%), from \$371,000 to \$542,000.⁴⁸ Oregon City has a lower average rent than other nearby jurisdictions, but the city’s home prices are higher than most jurisdictions, Clackamas County, and the Portland Region overall.
 - A household earning 100% of Clackamas County’s median family income could afford a home valued between about \$322,000 to \$368,000, which is less than the median home sales price of about \$545,000 in Oregon City. A household can start to afford median home sale prices at about 148% of Oregon City’s median household income.

These factors suggest that Oregon City needs a broader range of housing types with a wider range of price points than are currently available in Oregon City’s housing stock. This includes providing opportunity for development of housing types such as: smaller single-family

⁴⁶ The Department of Housing and Urban Development’s guidelines indicate that households paying more than 30% of their income on housing experience “cost burden,” and households paying more than 50% of their income on housing experience “severe cost burden.”

⁴⁷ Redfin

⁴⁸ Redfin.

detached housing (e.g., cottages or small-lot single-family detached units), townhouses, duplexes and quad-plexes, small apartment buildings, and larger apartment buildings.

Exhibit 61 presents a forecast for housing growth in the Oregon City's city limits during the 2021 to 2041 period. The projection is based on the following assumptions:

- Metro's growth forecast show that Oregon City will need 7,435 new dwelling units over the 20-year period.
- The assumptions about the mix of housing in Exhibit 61 are consistent with the requirements of OAR 660-007⁴⁹:
 - **About 50% of new housing will be single-family detached, in medium and low-density areas**, a category which includes manufactured housing and cottage clusters. In 2015-2019, 73% of Oregon City's housing was single-family detached. Single-family detached housing includes traditional single-family detached units, manufactured homes (on individual lots and in parks), accessory dwelling units, and other detached housing types such as cottage housing.
 - **Nearly 20% of new housing will be single-family attached units in low, medium, and high-density areas.** In 2015-2019, 7% of Oregon City's housing was single-family attached. Single-family attached housing includes townhouses and row houses.
 - **About 10% of new housing will be duplexes, triplexes, and quadplexes in low, medium, and high-density areas.** In 2015-2019, 6% of Oregon City's housing was duplexes, triplexes, and quadplexes.
 - **About 30% of new housing will be in multifamily buildings with five or more units in high density and mixed-use areas.** In 2015-2019, 13% of Oregon City's housing was multifamily in structures with five or more units.

The City recently updated its zoning code to allow for a greater variety of housing types and remove and reduce barriers within the development regulations for missing middle housing. Corner duplexes, internal conversions, accessory dwelling units, and cottage clusters are allowed outright in low density areas. Duplexes, tri-plexes, quad-plexes, and single-family attached units are also permitted outright in medium density areas. Duplexes, tri-plexes, quad-plexes, attached housing, and internal conversions are processed with clear and objective standards in the same manner as a detached single-family home. In addition, the code redefined multifamily housing from structures with three or more units, to structures with five or more units per lot. The City is currently going through a process to review the zoning code for compliance with HB 2001, which will result in additional opportunities for housing types.

⁴⁹ OAR 660-007-0030(1) requires that most Metro cities "...provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing..."

Oregon City will have demand for 7,435 new dwelling units over the 20-year period, 50% of which are forecast to be single-family detached housing.

Exhibit 61. Forecast of Demand for New Dwelling Units, Oregon City Planning Area, 2021 to 2041

Source: Calculations by ECONorthwest. DU = Dwelling Unit

Variable	Mix of New Housing Units (2021-2041)
Needed new dwelling units (2021-2041)	7,435
Single-family detached	
Percent single-family detached DU	50%
<i>equals</i> Total new single-family detached DU	3,717
Single-family attached	
Percent single-family attached DU	20%
<i>equals</i> Total new single-family attached DU	1,487
Duplex, Triplex, Quadplex	
Percent duplex, triplex, quadplex	10%
<i>equals</i> Total new duplex, triplex, quadplex DU	744
Multifamily (5 or more units)	
Percent multifamily	20%
Total new multifamily DU	1,487
<i>equals</i> Total new dwelling units (2021-2041)	7,435

The forecast of new units does not include dwellings that will be demolished and replaced. This analysis does not factor those units in; it assumes they will be replaced at the same site and will not create additional demand for residential land.

Exhibit 62 allocates housing to plan designations in Oregon City. The allocation is based, in part, on the types of housing allowed in the zones of each plan designation.

Exhibit 62 shows:

- **Low Density Residential (R-10, R-8, R-6)** land will accommodate new single-family detached housing, accessory dwelling units, internal conversions, corner duplexes, and cluster housing. Single-family attached are allowed with a Master Plan. The City will review allowing duplexes, triplexes, and quadplexes in these zones, as part of complying with HB 2001.
- **Medium Density Residential (R-3.5, R-5)** land will accommodate new single-family detached housing, accessory dwelling units, internal conversions, duplexes, corner duplexes, single-family attached, tri-plexes, quad-plexes, and cluster housing. Multifamily is allowed in a Master Plan.
- **High Density Residential (R-2)** land will accommodate accessory dwelling units for existing single-family detached units, internal conversions, duplexes, corner duplexes, single-family attached units, triplexes, quadplexes, cluster housing, and multifamily housing.

- **Mixed Use (MUD, MUC 1, MUC 2, NC, HC, WFDD)** land, depending on the zone, will accommodate townhouses, duplexes, triplexes, quadplexes, multifamily with five or more units, and live/work units.

Exhibit 62. Allocation of Housing by Housing Type and Plan Designation, Oregon City Planning Area, 2021 to 2041

Source: ECONorthwest.

Housing Type Allocations	Plan Designations				Total
	Low Density	Medium Density	High Density	Mixed Use	
Dwelling Units					
Single-family detached	2,007	1,710	-	-	3,717
Single-family attached	74	967	446	-	1,487
Duplex, Triplex, Quadplex	35	333	153	223	744
Multifamily (5+ units)	-	149	678	660	1,487
Total	2,116	3,159	1,277	883	7,435
Percent of Units					
Single-family detached	27%	23%	0%	0%	50%
Single-family attached	1%	13%	6%	0%	20%
Duplex, Triplex, Quadplex	0%	4%	2%	3%	10%
Multifamily (5+ units)	0%	2%	9%	9%	20%
Total	28%	42%	17%	12%	100%

Exhibit 63 converts between net acres and gross acres⁵⁰ to account for land needed for rights-of-way by plan designation in Oregon City, based on Metro's methodology of existing rights-of-way.⁵¹

- **Low Density Residential:** Average density in this plan designation was historically 5.3 dwelling units per net acre. The density shown for low density residential in Exhibit 63 includes a 3% increase (5.4 dwelling units per net acre) from the historic density, consistent with the density changes allowed for complying with HB 2001.⁵² This results in assuming a 5.4 future density in tax lots smaller than 0.38 acres, as no land is needed for rights-of-ways based on Metro's assumptions. For lots between 0.38 and 1.0 acres the

⁵⁰ OAR 660-024-0010(6) uses the following definition of net buildable acre. "Net Buildable Acre" "...consists of 43,560 square feet of residentially designated buildable land after excluding future rights-of-way for streets and roads." While the administrative rule does not include a definition of a gross buildable acre, using the definition above, a gross buildable acre will include areas used for rights-of-way for streets and roads. Areas used for rights-of-way are considered unbuildable.

⁵¹ Metro's methodology about net-to-gross assumptions are that: (1) tax lots under 3/8 acre assume 0% set aside for future streets; (2) tax lots between 3/8 acre and 1 acre assume a 10% set aside for future streets; and (3) tax lots greater than an acre assumes an 18.5% set aside for future streets. The analysis assumes an 18.5% assumption for future streets.

⁵² Oregon City plans to comply with HB2001 and has recently made a variety of amendments to the development code to allow more housing types. The City is currently working through the process of making adjustment to comply with HB 2001 which will be implemented by July 2022.

future density will be 4.9 dwelling units per gross acre and for lots larger than 1.0 acres the future density will be 4.4 dwelling units per gross acre.

- **Medium Density Residential:** Average density in this plan designation was historically 10.7 dwelling units per net acre. The density shown for medium density residential in Exhibit 63 includes a 3% increase (11.0 dwelling units per net acre) from the historic density, consistent with the density changes allowed for complying with HB 2001.⁵³ This results in assuming a 11.0 future density in tax lots smaller than 0.38 acres, as no land is needed for rights-of-ways based on Metro's assumptions. For lots between 0.38 and 1.0 acres the future density will be 9.9 dwelling units per gross acre and for lots larger than 1.0 acres the future density will be 9.0 dwelling units per gross acre.
- **High Density Residential:** Average density in this plan designation was historically 21.8 per net acre. For lots smaller than 0.38 acres, the future density will be 21.8 dwelling units per gross acre. For lots between 0.38 and 1.0 acres the future density will be 19.6 dwelling units per gross acre and for lots larger than 1.0 acres the future density will be 17.8 dwelling units per gross acre.
- **Mixed Use:** Average density in this plan designation was historically 19.8 dwelling units per net acre in tax lots smaller than 0.38 acres and no land is needed for rights-of-ways based on Metro's assumptions. For lots between 0.38 and 1.0 acres the future density will be 17.9 dwelling units per gross acre and for lots larger than 1.0 acres the future density will be 16.2 dwelling units per gross acre.

Exhibit 63. Future Housing Densities and Land for Rights-of-Way, Oregon City Planning Area

Source: ECONorthwest. Note: DU is dwelling unit.

Plan Designation	Tax Lots Smaller than 0.38 acre			Tax Lots ≥ 0.38 and ≤ 1.0 acre			Tax Lots larger than 1.0 acre		
	Net Density (DU/net acre)	% for Rights-of-Way	Gross Density (DU/gross acre)	Net Density (DU/net acre)	% for Rights-of-Way	Gross Density (DU/gross acre)	Net Density (DU/net acre)	% for Rights-of-Way	Gross Density (DU/gross acre)
Low Density Residential	5.4	0%	5.4	5.4	10%	4.9	5.4	18.5%	4.4
Medium Density Residential	11.0	0%	11.0	11.0	10%	9.9	11.0	18.5%	9.0
High Density Residential	21.8	0%	21.8	21.8	10%	19.6	21.8	18.5%	17.8
Mixed Use	19.8	0%	19.8	19.8	10%	17.9	19.8	18.5%	16.2

⁵³ Oregon City plans to comply with HB2001 and has recently made a variety of amendments to the development code to allow more housing types. The City is currently working through the process of making adjustment to comply with HB 2001 which will be implemented by July 2022.

Housing Need by Income Level

The next step in the housing needs analysis is to develop an estimate of need for housing by income and housing type. This analysis requires an estimate of the income distribution of current and future households in the community. Estimates presented in this section are based on (1) secondary data from the Census, and (2) analysis by ECONorthwest.

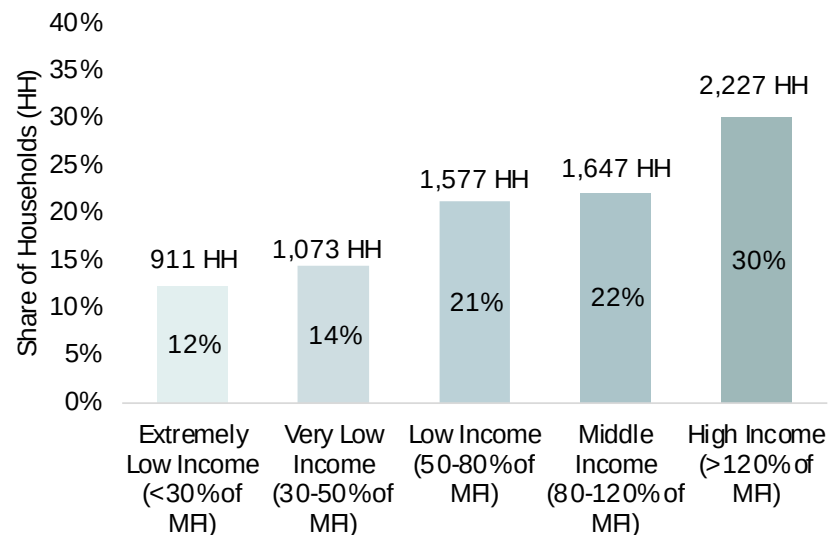
Exhibit 64 based on American Community Survey data about income levels for existing households in Oregon City. Income is categorized into market segments consistent with HUD income level categories, using Clackamas County's 2020 Median Family Income (MFI) of \$92,100. Exhibit 64 is based on current household income distribution, assuming that approximately the same percentage of households will be in each market segment in the future.

54

About 26% of Oregon City's future households will have income below 50% of Clackamas County's median family income (less than \$46,000 in 2020 dollars) and about 43% will have incomes between 50% and 120% of the county's MFI (between \$46,000 and \$110,000).

Exhibit 64. Future (New) Households, by Median Family Income (MFI) for Clackamas County (\$92,100), Oregon City Planning Area, 2021 to 2041

Source: U.S. Department of Housing and Urban Development. U.S. Census Bureau, 2015-2019 ACS Table 19001.



⁵⁴ For example, 30% of Oregon City's households had income above 120% of the Clackamas County Median Family Income in 2015-2019. This analysis assumes that 30% of the 7,435 new households that grow in Oregon City 2021-2041 will have incomes over 120% of the Clackamas County Median Family Income.

Need for Government Assisted, Farmworker, and Manufactured Housing

ORS 197.303, 197.307, 197.312, and 197.314 requires cities to plan for government-assisted housing, farmworker housing, manufactured housing on lots, and manufactured housing in parks (communities).

- **Government-subsidized housing.** Government subsidies can apply to all housing types (e.g., single family detached, apartments, etc.). Oregon City allows development of government-assisted housing in all residential plan designations, with the same development standards for market-rate housing. This analysis assumes that Oregon City will continue to allow government housing in all of its residential plan designations. Because government assisted housing is similar in character to other housing (with the exception being the subsidies), it is not necessary to develop separate forecasts for government-subsidized housing.
- **Farmworker housing.** Farmworker housing can also apply to all housing types and the City allows development of farmworker housing in all residential plan designations, with the same development standards as market-rate housing. This analysis assumes that Oregon City will continue to allow this housing in all of its residential plan designations. Because it is similar in character to other housing (with the possible exception of government subsidies, if population restricted), it is not necessary to develop separate forecasts for farmworker housing.
- **Manufactured housing on lots.** Oregon City allows manufactured homes on lots in the zones which single-family detached housing is allowed. Oregon City does not have special siting requirements for manufactured homes. Since manufactured homes are subject to the same siting requirements as site-built homes, it is not necessary to develop separate forecasts for manufactured housing on lots.
- **Manufactured housing in communities.** OAR 197.480(4) requires cities to inventory the mobile home or manufactured dwelling parks sited in areas planned and zoned or generally used for commercial, industrial, or high-density residential development. According to the Oregon Housing and Community Services' Manufactured Dwelling Park Directory,⁵⁵ Oregon City has four manufactured home parks within city limits,⁵⁶ with 345 spaces. Oregon City has two manufactured home parks within the UGB,⁵⁷ with 540 spaces.⁵⁸ The proposed code amendments will allow an opportunity for new manufactured housing parks to be created as well as expansion of existing facilities.

⁵⁵ Oregon Housing and Community Services, Oregon Manufactured Dwelling Park Directory, <http://o.hcs.state.or.us/MDPCRParcs/ParkDirQuery.jsp>

⁵⁶ Clairmont, Mt. Pleasant, Cherry Lane, and Char Diaz Estate

⁵⁷ Forest Park, Country Village

⁵⁸ City of Oregon City, with space count from Oregon Housing and Community Services, Oregon Manufactured Dwelling Park Directory, <http://o.hcs.state.or.us/MDPCRParcs/ParkDirQuery.jsp>

ORS 197.480(2) requires Oregon City to project need for manufactured dwelling communities based on: (1) population projections, (2) household income levels, (3) housing market trends, and (4) an inventory of manufactured dwelling parks sited in areas planned and zoned or generally used for commercial, industrial, or high density residential.

- Exhibit 60 shows that Oregon City will need 7,435 dwelling units over the 2021 to 2041 period.
- Analysis of housing affordability shows that about 27% of Oregon City's new households will be extremely- or very-low income, earning 50% or less of the region's median family income. One type of housing affordable to these households is manufactured housing.
- Manufactured housing in communities accounts for about 2.5% (about 345 dwelling units) of Oregon City's current housing stock.
- National, state, and regional trends since 2000 showed that manufactured housing parks are closing, rather than being created. For example, between 2000 and 2015, Oregon had 68 manufactured parks close, with more than 2,700 spaces.
- The households most likely to live in manufactured homes in parks are those with incomes between \$27,630 and \$46,050 (between 30% to 50% of MFI), which include 14% of Oregon City's households. However, households in other income categories may live in manufactured homes in parks
- The national and state trends of the closure of manufactured home parks, and the fact that no new manufactured home parks have opened in Oregon in over the last 15 years, demonstrate that development of new manufactured home parks in Oregon City is unlikely. However, some existing parks in Oregon City have expanded to increase the number of spaces in the park.
- If the City does have need for a new manufactured home park, that would be for about 145 new units (2.5% of new units), which at about 10 to 12 dwelling units per acre (based on standards for single-family dwellings in the R-3.5 zone) will need 12 to 15 acres of land. Oregon City can accommodate this in their existing vacant buildable land base in the Medium Density Residential plan designation.
- Our conclusion from this analysis is that development of new manufactured home parks in Oregon City (and most of the Portland Region) over the planning period is unlikely. It is, however, likely that manufactured homes will continue to locate on individual lots in Oregon City, and existing parks may reconfigure to accommodate more units. The forecast of housing assumes that no new manufactured home parks will be opened in Oregon City over the 2021 to 2041 period. The forecast includes new manufactured homes on lots in the category of single-family detached housing.
- Over the next 20 years (or longer) one or more manufactured home parks may close in Oregon City. This may be a result of manufactured home park landowners selling

or redeveloping their land for uses with higher rates of return, rather than lack of demand for spaces in manufactured home parks. Manufactured home parks contribute to the supply of low-cost affordable housing options, especially for affordable homeownership.

- In addition to statewide regulation of the closure of manufactured home parks designed to lessen the financial difficulties of this closure for park residents, Oregon City also has locally adopted manufactured home park closure regulations. In the case of manufactured home park closures, the City has a role to play in ensuring that there are opportunities for housing for the displaced residents. The City's primary roles are to ensure that there is sufficient land zoned for new multifamily housing and to reduce barriers to residential development to allow for development of new, relatively affordable housing. The City may use a range of policies to encourage development of relatively affordable housing, such as allowing a wider range of moderate density housing (e.g., duplexes or 3-4 plexes) in the Low-Density and Medium-Density zones, designating more land for multifamily housing, removing barriers to multifamily housing development, using tax credits to support affordable housing production, developing an inclusionary zoning policy, or partnering with a developer of government-subsidized affordable housing.

6. Oregon City's Residential Land Sufficiency

This section presents an evaluation of the sufficiency of vacant residential land in Oregon City to accommodate expected residential growth over the 2021 to 2041 period. This section includes an estimate of residential development capacity (measured in new dwelling units) and an estimate of Oregon City's ability to accommodate needed new housing units for the 2021 to 2041 period, based on the analysis in the housing needs analysis.

Capacity Analysis

The comparison of supply (buildable land) and demand (population and growth leading to demand for more residential development) allows the determination of land sufficiency.

There are two ways to calculate estimates of supply and demand into common units of measurement to allow their comparison: (1) housing demand can be converted into acres, or (2) residential land supply can be converted into dwelling units. A complication of either approach is that all land has different characteristics – factors such as zone, slope, parcel size, and shape can affect the land's ability to accommodate housing. Methods that recognize this fact are more robust and produce more realistic results. This analysis uses the second approach: it estimates the ability of vacant residential lands within the city limits to accommodate new housing. This analysis, sometimes called a "capacity analysis,"⁵⁹ can be used to evaluate different ways that vacant residential land may build out by applying different assumptions.

Oregon City Capacity Analysis Results for Vacant and Partially Vacant Land

The capacity analysis estimates the development potential of vacant residential land to accommodate new housing, based on the needed densities by the housing type categories shown in Exhibit 63.

Exhibit 65 shows that **vacant land in Oregon City's Planning Area has capacity to accommodate approximately 7,266 new dwelling units**, based on the following assumptions:

- **Vacant and partially vacant buildable residential land.** The capacity estimates start with the number of buildable acres in residential plan designations and zones that allow residential uses.

⁵⁹ There is ambiguity in the term *capacity analysis*. It would not be unreasonable for one to say that the "capacity" of vacant land is the maximum number of dwellings that could be built based on density limits defined legally by plan designation or zoning, and that development usually occurs—for physical and market reasons—at something less than full capacity. For that reason, we have used the longer phrase to describe our analysis: "estimating how many new dwelling units the vacant residential land in the city limits is likely to accommodate." That phrase is, however, cumbersome, and it is common in Oregon and elsewhere to refer to that type of analysis as "capacity analysis," so we use that shorthand occasionally in this memorandum.

- **Residential densities.** The capacity analysis assumes development will occur at historical densities. Those densities were derived from the densities shown in Exhibit 63.
- **Average net density.** Exhibit 65 shows capacity and densities in gross acres. OAR 660-007 requires that Oregon City provide opportunity for development of housing at an overall average density of eight dwelling units per net acre. The average net density of buildable residential land in Exhibit 65 is 9.5 dwelling units per net acres and 8.0 dwelling units per gross acre.
- **Capacity on mixed use land.** The estimate of capacity includes land in the mixed use plan designations (including zones that allow residential uses). Because not all mixed use land will develop as a residential use, we assumed that 70% of the buildable land in the mixed use plan designation will develop as residential.

Exhibit 65. Estimate of Residential Capacity on Unconstrained Vacant and Partially Vacant Buildable Land, Oregon City Planning Area, 2021 to 2041

Source: Buildable Lands Inventory; Calculations by ECONorthwest. *Note: DU is dwelling unit.*

Plan Designation	Tax Lots Smaller than 0.38 acre			Tax Lots ≥ 0.38 and ≤ 1.0 acre			Tax Lots larger than 1.0 acre			Total, combined	
	Buildable Acres	Density Assumption (DU/gross acre)	Capacity (Dwelling Units)	Buildable Acres	Density Assumption (DU/gross acre)	Capacity (Dwelling Units)	Buildable Acres	Density Assumption (DU/gross acre)	Capacity (Dwelling Units)	Buildable Acres	Capacity (Dwelling Units)
Low Density Residential	77	5.4	415	95	4.9	465	281	4.4	1,236	453	2,116
Medium Density Residential	23	11.0	253	39	9.9	386	280	9.0	2,520	342	3,159
High Density Residential	1	21.8	21	1	19.6	19	60	17.8	1,068	62	1,108
Mixed Use	3	19.8	55	7	17.9	125	43	16.2	703	53	883
Total	104	-	744	142	-	995	664	-	5,527	910	7,266

Residential Land Sufficiency

The next step in the analysis of the sufficiency of residential land within Oregon City is to compare the demand for housing by plan designation (Exhibit 62) with the capacity of land by plan designation (Exhibit 65).

Exhibit 66 shows that Oregon City has sufficient land to accommodate development all plan designations.

- Low density residential and medium density residential plan designations have enough land to accommodate growth, with no surplus or deficit of capacity.
- High density residential does not enough land to accommodate growth, with a deficit of 169 dwelling units of capacity, or 8 acres.
- Mixed use has enough land to accommodate growth, assuming that 70% of the buildable land in this plan designation will develop with residential uses.

Exhibit 66. Comparison of Capacity of Existing Residential Land with Demand for New Dwelling Units and Land Surplus or Deficit, Oregon City, City Limits, 2021 to 2041

Source: Buildable Lands Inventory; Calculations by ECONorthwest. Note: DU is dwelling unit.

Plan Designation	Capacity (Dwelling Units)	Demand (Dwelling Units)	Comparison (Capacity minus Demand)	Land Surplus or Deficit (Gross Acres)
Low Density Residential	2,116	2,116	0	0
Medium Density Residential	3,159	3,159	0	0
High Density Residential	1,108	1,277	(169)	(8)
Mixed Use	883	883	0	0
Total	7,266	7,435		

Findings and Recommendations

The key findings of the Oregon City Housing Needs Analysis are that:

- **Finding: Growth in housing will be driven by growth in households.** The number of households in Oregon City's Planning Area is forecast to grow from 14,778 households to 22,213 households, an increase of 7,435 households between 2021 and 2041.
- **Finding: Oregon City is planning for growth of 7,435 new dwelling units.** To accommodate the 7,435 dwelling units over the 20-year planning period, Oregon City will average 372 new dwelling units annually, and will plan for more single-family attached and multifamily dwelling units in the future to meet the city's housing needs. Historically, about 73% of Oregon City's housing was single-family detached. New housing in Oregon City is forecast to be 50% single-family detached, 20% single-family attached, 10% duplexes, triplexes, and quadplexes, and 20% multifamily. This housing mix both meets the requirements for housing mix for cities in Metro (OAC 660-007) and is supported by the changes in the housing market described below.

The factors driving the shift in types of housing needed in Oregon City include changes in demographics and decreases in housing affordability. The aging of senior populations and the household formation of young adults will drive demand for renter and owner-occupied housing, such as small single-family detached housing, townhouses, duplexes, and apartments/condominiums. Both groups may prefer housing in walkable neighborhoods, with access to services.

- **Recommendation:** Oregon City should monitor land available in all plan designations, as there is no surplus (or deficit) of land in the low and medium density residential plan designations. Additionally, the City may look for opportunities for redevelopment on underutilized land to address the deficit of high density residential land and limited capacity of mixed use land.
- **Oregon City is meeting Metro's requirements for net density and housing mix.** OAR 660-007-0035 sets specific density targets for cities in the Metro UGB. Oregon City's average density target is eight dwelling units per net buildable acre. Based on the findings in Chapter 6, Oregon City is exceeding this average density target at an average net density of 9.5 dwelling units per net acre.

OAR 660-007 also requires that cities within the Metro UGB "provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing." Chapter 5 shows that for the 2021-2041 planning period Oregon City is assuming that 20% of new dwelling units will be single-family attached, 10% of new units will be duplexes, triplexes, or quadplexes, and 20% of new units will be multifamily.

- **Recommendation:** Oregon City should continue to monitor future development to evaluate resulting densities and housing mix in comparison to the planned units described in this report.

- **Finding: Oregon City has unmet need for affordable housing.** About 34% of Oregon City's households are cost burdened, with 50% of renters cost burdened and 28% of owners cost burdened. Oregon City's level of cost burden is similar to other communities in Clackamas County. Oregon City's unmet housing needs include:

Renter housing. The average asking rent for multifamily housing in Oregon City in 2021 was about \$1,350, which is affordable to households earning about 60% of the median family income (about \$55,200). About one-third of Oregon City's households have incomes below this level and cannot afford the average rent. As shown in the rates of cost burden, many of these renter households are cost burdened. Oregon City will continue to have unmet renter housing needs, both for existing households and for new households.

Owner-occupied housing. The median home sales price in April 2021 was about \$545,000, which is affordable to households earning about 148% of the median family income (about \$136,300). Oregon City is one of the less affordable cities for homeownership in the Portland region, households at middle and high incomes (between \$74,000 to \$110,000) are less able to afford housing in Oregon City. One way to increase the supply of affordable owner-occupied housing is to increase opportunities for development of the middle-income housing described above.

- **Recommendation:** Without diversification of housing types, lack of affordability will continue to be a problem, possibly growing in the future if incomes continue to grow at a slower rate than housing costs. Under the current conditions, 1,545 of the forecasted new households will have incomes of \$46,000 (in 2020 dollars) or less (50% of MFI income or less). These households cannot afford market-rate housing without government subsidy. Another 1,228 new households will have incomes between \$46,000 and \$74,000 (50% to 80% of MFI).

Oregon City will need to provide opportunities for affordable housing development for both rental and ownership over the 20-year period, and the City should look for opportunities for affordable housing development for all housing types.

- **Finding: Oregon City will need to meet the requirements of House Bill 2001.** The legislature passed House Bill 2001 in the 2019 Legislative Session. The bill requires cities within the Metro UGB to allow "middle" housing types in low-density residential zones. The bill defines middle housing types as duplexes, triplexes, quadplexes, cottage clusters, and townhouses.
- **Recommendation:** The City should continue the process of developing and adopting zoning code to comply with these requirements.
- **Finding: Oregon City is currently in the process of a Comprehensive Plan Update.** This 2021 HNA report presents updated information related to Oregon City's Housing

Element of the Comprehensive Plan. Additionally, changes in Oregon City's demographics have presented a need for a greater variety of housing types. In 2019, Oregon City participated in a preliminary housing needs analysis process through the development of the Clackamas County Housing Needs Analysis. This report builds on the information presented for Oregon City in that project and provides updated data where necessary.

- **Recommendation:** Oregon City should adopt this HNA report as an appendix to the Comprehensive Plan. HB 2003 requires that Oregon City update its HNA every six years to analyze what housing is needed for current and future residents for a 20-year period.

Oregon City has identified a project to start within a year to look at non-zoning strategies to support the development of housing (including affordable housing). This initial study will allow the consideration of additional tools and partnerships in advance of a Housing Production Strategy (HPS) according to the guidance in HB 2003. An HPS includes consideration of additional information about the housing needs of underserved communities and engagement with underserved communities about potential approaches to meeting their needs.

Overall, Oregon City has worked to increase the supply of housing over the past few years by removing and reducing barriers in the zoning code and allowing a wider variety of housing types throughout the City. Though there is no need to rezone land for housing based on this analysis, the City should continue to watch the supply of housing and look for opportunities to increase types of housing and affordability. Affordability of housing will continue to be challenging for many in Oregon City over the long-run.

Appendix A: Buildable Lands Inventory

Methodology

A key initial component of the Housing Needs Analysis is conducting a buildable lands inventory (BLI). This appendix summarizes the methods ECONorthwest used to conduct the residential BLI for Oregon City.

Oregon Administrative Rules provide guidance on conducting residential BLIs:

OAR 660-008-0005(2):

“Buildable Land” means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses. Land is generally considered “suitable and available” unless it:

- (a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7;*
- (b) Is subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18;*
- (c) Has slopes of 25 percent or greater;*
- (d) Is within the 100-year flood plain; or*
- (e) Cannot be provided with public facilities.*

The methods used for conducting the Oregon City BLI are consistent with Oregon statutes. The Oregon City BLI presented in this analysis aligns with the methods and definitions in the 2019 Clackamas County Regional Housing Needs Analysis, with updated classifications to reflect development since 2019.

Methodology

The BLI is based on the data and methods used by Metro. Metro is required to complete a BLI for land within the regional UGB every six years. The agency finished an updated BLI (based on 2016 data) in November 2018 for the 2018 Urban Growth Report (UGR). The methods used for inventorying lands in Oregon City attempt to be consistent with Metro’s results while also updating the results to account for new development since the 2019 BLI was completed for the Clackamas County Regional Housing Needs Analysis and other local conditions, such as unique environmental constraints.

Study Area

The BLI for the Oregon City (city limits and UGB areas) includes all residential land designated in the Comprehensive Plan.⁶⁰ ECONorthwest used the tax lot shapefile from Metro's 2018 BLI (2016 tax lot base data), with attention to lots that subdivided since 2016 based on local staff identification. City staff then reviewed these areas and identified lots that should be excluded or included for their jurisdiction based on future planning or errors in GIS data.

Inventory Steps

The BLI consists of several steps:

1. Generating UGB "land base"
2. Classifying land by development status
3. Identify constraints
4. Verify inventory results
5. Tabulate and map results

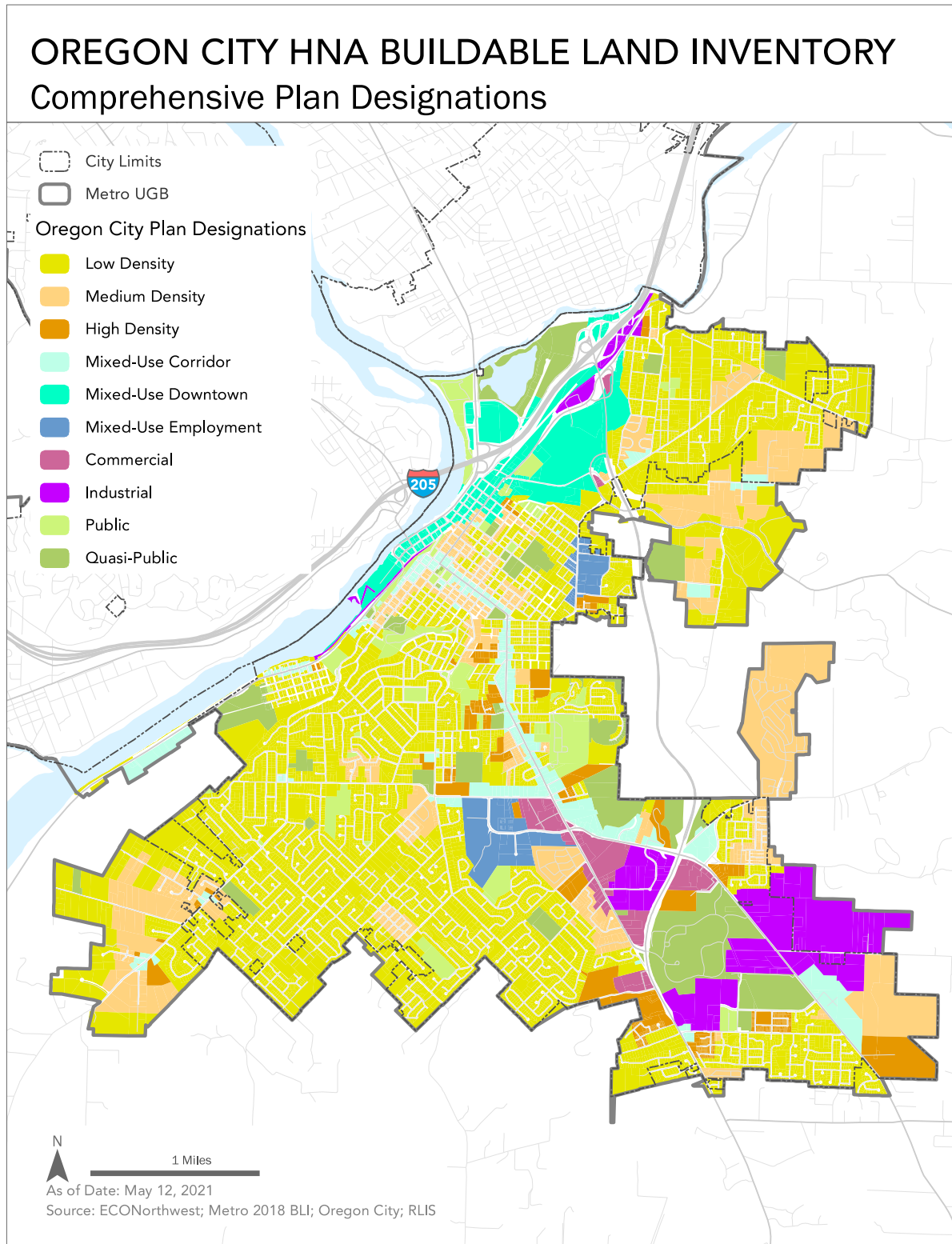
Step 1: Generate "Land Base"

Per Goal 10 this involves selecting all of the tax lots with residential and other nonemployment plan designations where residential uses are planned for and allowed by the implementing zones.

Exhibit 67 shows the residential plan designations included in the BLI.

⁶⁰ ECONorthwest reviewed local plan information for Oregon City based on 2020 RLIS data. Residential comprehensive plan designations remained the same since the 2019 BLI.

Exhibit 67. Residential Land Base by Plan Designation, Oregon City, City Limits and UGB Areas, 2020
Source: ECONorthwest.



Step 2: Classify Lands

In this step, ECONorthwest classified each tax lot with a plan designation that allow residential uses into one of four mutually exclusive categories based on development status:

- Vacant
- Partially vacant
- Public
- Developed

ECONorthwest used the classifications determined through Metro's model, as outlined below.

Development Status	Definition	Statutory Authority
Vacant	Tax lots designated as vacant by Metro based on the following criteria: 1) Fully vacant based on Metro aerial photo 2) Tax lots with less than 2,000 square feet developed AND developed area is less than 10% of lot 3) Lots 95% or more vacant from GIS vacant land inventory	OAR 660-008-0006(2) (2) "Buildable Land" means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available, and necessary for residential uses.
Partially Vacant	Single-family tax lots that are 2.5 times larger than the minimum lot size and a building value less than \$300,000 or lots that are 5 times larger than the minimum lots size (no threshold for building value). These lots are considered to still have residential capacity. For this analysis, we are classifying these lots as partially vacant. We assume that 0.25 acres of the lot is developed, and the remaining land is available for development, less constraints.	OAR 660-008-0006(2)
Public	Lands in public ownership are considered unavailable for residential development. This includes lands in federal, state, county, or city ownership. These lands are identified using Metro's definitions and categories.	OAR 660-008-0005(2) - Publicly owned land is generally not considered available for residential uses.
Developed	Lands not classified as vacant, partially vacant, or public are considered developed.	OAR 660-008-0006(2) (2) "Buildable Land" means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available, and necessary for residential uses.

Step 3: Identify Constraints

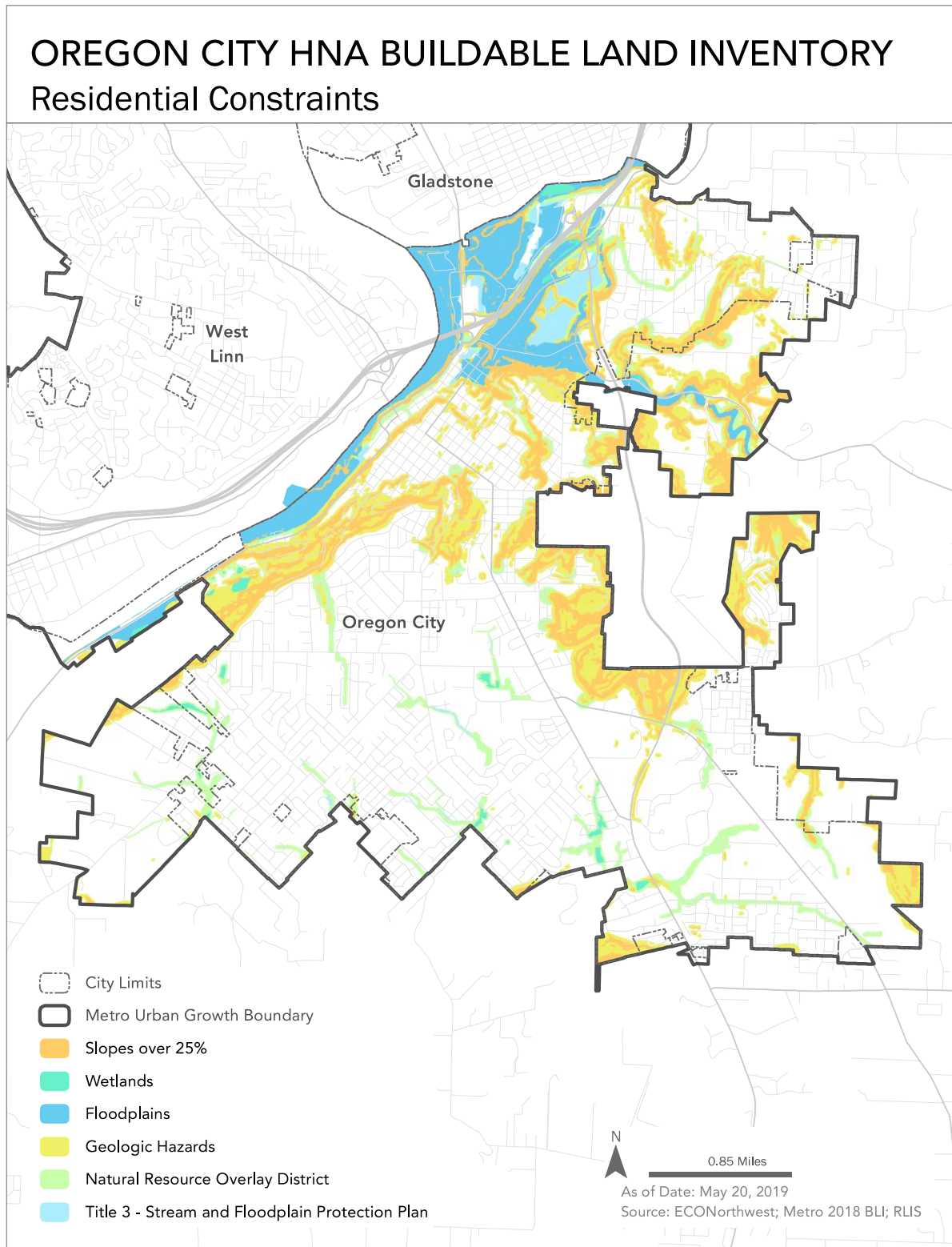
Consistent with OAR 660-008-0005(2) guidance on residential buildable lands inventories, ECONorthwest deducted certain lands with development constraints from vacant lands. Unless cities identified alternative constraints (as identified below), the constraints we used are summarized in the table below.

Constraint	Statutory Authority	Threshold	File name
Goal 5 Natural Resource Constraints			
Regulated wetlands	OAR 660-008-0005(2)	Regulated wetlands	RLIS Wetlands layer
Natural Resources Overlay District	OAR 660-008-0005(2)	Areas in the natural resource overlay district	Overlay district layer
Landslide Hazards	OAR 660-008-0005(2)	Areas in the geologic hazards overlay	Overlay zone layer
Natural Hazard Constraints			
Floodways	OAR 660-008-0005(2)	Lands within FEMA FIRM identified floodway	Title 3 floodplain/floodway layer
100-Year Floodplain	OAR 660-008-0005(2)	Lands within FEMA FIRM 100-year floodplain	Title 3 floodplain/floodway layer
Steep Slopes	OAR 660-008-0005(2)	Slopes greater than 25%	slopes25_Area

These areas are considered as prohibitive constraints (unbuildable) as shown in Exhibit 68. These areas are deducted from lands that are identified as vacant to determine the buildable portion of vacant lots. In addition, we applied any local specific environmental constraints identified by cities that also prohibit the development of vacant lots. These local constraints should clearly limit development potential in the local development code.

The lack of access to water, sewer, power, road or other key infrastructure cannot be considered a prohibitive constraint unless it is an extreme condition. These tax lots are currently unserved but could potentially become serviced over the twenty-year planning period.

Exhibit 68. Residential Development Constraints, Oregon City, City Limits and UGB Areas, 2020



Step 4: Verification

ECONorthwest used a multistep verification process to review development status in Oregon City. The first verification step included a “rapid visual assessment” of land classifications using GIS and recent aerial photos. The rapid visual assessment involved reviewing classifications overlaid on recent aerial photographs to verify uses on the ground. We reviewed all tax lots included in the inventory using the rapid visual assessment methodology. The second round of verification involved City staff verifying the rapid visual assessment output. We amended the BLI based on City staff review and comments, and the 2020 BLI update (since the 2019 BLI) considered areas developed in the past year based on permit information and local confirmation from City staff.

Step 5: Tabulation and Mapping

The results are presented in tabular and map format in Chapter 2.



CITY OF OREGON CITY

Staff Report

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

To: City Commission **Agenda Date:** 12/15/2021
From: Community Development Director Aquilla Hurd-Ravich

SUBJECT:

First Reading of Ordinance 21-1016, the Adoption of Park Place Urbanization Plan, an Amendment to the Transportation System Plan (LEG-21-00003)

STAFF RECOMMENDATION:

Staff recommends the City Commission approve the first reading of Ordinance 21-1016 and LEG-21-00003.

EXECUTIVE SUMMARY:

The Park Place Urbanization Plan has been submitted by the Public Works Department for adoption. File No. LEG-21-00003 amends the Oregon City Transportation System Plan to add the ancillary plan for pedestrian, bicycle, and vehicular access within the Park Place neighborhood. The plan adds clarity for street designs within the project area, as well as a sidewalk prioritization plan.

The legislative process to amend the Transportation System Plan includes hearings before the Planning Commission and the City Commission, with the final plan adopted by ordinance. The adoption process for this plan is noted below:

Event	Date	Outcome
Planning Commission hearing	September 27, 2021	Continued
Planning Commission hearing	October 11, 2021	Forwarded to City Commission with recommendation for approval
City Commission hearing	November 3, 2021	Continued
City Commission hearing – first reading of ordinance	December 15, 2021	TBD
City Commission hearing – second reading of ordinance	January 5, 2021	TBD

An issues matrix summarizing and responding to issues brought up during previous hearings is attached in the agenda packet. The Planning Commission recommended approval with a condition that they would like to see more bike lanes and more traffic calming measures in the neighborhood as the plan is implemented. The issues matrix also reflects City Commission comments at last month's hearing and the work session held on December 7, 2021.

BACKGROUND:

The Park Place Urbanization Plan is a document that proposes street specific cross sections for various streets within the Park Place Neighborhood Association boundary. These street designs differ from the typical street cross sections within the Transportation System Plan. The differences in street design are a response to existing conditions in Park Place of narrow, semi-rural streets. The plan prioritizes certain streets for the inclusion of sidewalks as private development occurs or as capital improvement funding becomes available.

The Park Place Neighborhood was annexed into the City over 30 years ago. Most of the streets in the project area were not built to current roadway classification standards – with the exception of the recently-constructed roadways east of Swan Ave. In the older section of the neighborhood, there is considerable dimensional variation in right-of-way, travel lanes, stormwater conveyance, and widths and existence of both sidewalk and bike lanes.

The Urbanization Plan only focuses on the existing streets that currently lack sidewalks, curbs and bicycle facilities. The goal of the plan is to ensure future improvements to existing streets are consistent, feasible, and reflect desires of those living in the neighborhood.

The plan prioritizes sidewalk improvement locations near properties that were unlikely to develop in the near term. The plan includes specific street designs for the following street segments, concentrated in the area north of Holcomb Boulevard and west of Holcomb Elementary:

1. Apperson Street
2. Front Avenue
3. Hunter Avenue (north of Holcomb)
4. Swan Avenue
5. Local streets, which include the following:
 - Frederick Street
 - Gain Street
 - Harley Avenue
 - Hunter Ave (south of Holcomb)
 - Hiram Avenue
 - Rock Street
 - Clear Street
 - LaRae Road

- Short Avenue
- Jacobs Way

All other streets are considered standard local streets in the plan, and will utilize the typical street design for local streets found in the TSP and in the Municipal code.

An issues matrix summarizing and responding to issues brought up during the Planning Commissioner hearings is attached in the agenda packet. The Planning Commission recommended approval with conditions that they would like to see more bike lanes and more traffic calming measures in the neighborhood as the plan is implemented.

See full staff report and recommendation attached to the agenda.

OPTIONS:

1. Approve the first reading of Ordinance 21-1016 and LEG 21-00003.
2. Continue Ordinance 21-1016 and LEG 21-00003 to a date certain with instructions for additional information or changes.

BUDGET IMPACT:

No additional funding has been allocated or planned at this time. The plan identifies funding needs for sidewalk infill of:

Priority 1 sidewalks –\$2,115,000

Priority 2 sidewalks – \$1,765,000

Date/Name	Issue/Comment/Concern	Public Works staff response or comment	Has this been addressed? How?
9/28 Public Comment	People outside of the Park Place Neighborhood were not included in the process, this plan has implications for Park Place Concept Plan area development.	This plan does not consider the Park Place Concept Plan Area. This plan only affects existing roads within the neighborhood association boundary.	No revision has been made.
9/28 Testimony	A few people mentioned they did not receive the postcards about the surveys	1,353 postcards were sent to all property owners and current occupants of every property in the study area. We had a few people during the surveys contact the Asst City Engineer for an additional link to the survey. This likely resulted from survey takers typing in the survey link incorrectly.	Staff will check whether any addresses were inadvertently left off the list and can fix the problem for future outreach.
9/28 and 10/11 Testimony	General sense that Holcomb Blvd is really the top priority for neighborhood residents. Holcomb needs sidewalks, safe bike facilities, and widening where possible. Request for a speed study and for sidewalks along Holcomb connecting to the bottom of the hill (Redland intersection)	Holcomb Blvd is not part of the Park Place Urbanization Study; however, the study does assume most people are seeking to get to Holcomb from the neighborhood. This is all stated within the study.	No revisions to Plan; however, the Public Works Director has been made aware of the request. Transportation System Plan will be updated in 2023 and these concerns can be addressed then.
9/28 Testimony	Concern over street widening and sidewalks causing loss of front yard space and driveway space, specifically on Cleveland street properties.	The response during the meeting was that if a property develops, they must make the appropriate improvements, but if a property does not develop, and a sidewalk or widening is proposed along their frontage (although this is not anticipated due to lack of funding), City staff will work with the property owner to find a joint compromise solution.	Response at Planning Commission. No revisions to Plan.
9/28 Testimony	Speeding concerns were discussed. Speed bumps were inquired of.	The response during the meeting was that speed bumps can be requested through an application process where the bumps are funded by the	Response at Planning Commission. No revisions to Plan.

		residents. An offer to make a request to the Asst City Engineer was given.	
9/28 Testimony	Personal concerns were in written form : need/desire for a handicap accessible ramp, driveway access, and mature trees	Staff provided guidance to property representative the steps to seek a ramp and an additional driveway	Response outside of Planning Commission meeting in lobby. No revisions to Plan.
9/28 Testimony	Linear footage for sidewalks in the plan did not make sense, can it be double checked	City staff and the City consultant reviewed this request and both double checked. This was more about the lack of specificity of where the segments were measured.	Segments were revised where more specificity or correctness was needed.
9/28 Testimony	Request was made to have the Study be more specific.	The intent of the study is to provide an overview or a concept. Detailed design would not occur until development was proposed or a capital improvement project was planned.	Response at Planning Commission. No revisions to Plan.
9/28 Testimony	Request was made concerning the definition of the word Corridor.	A corridor is the area of the study. Similar to the Linn-Leland-Meyers study, which was referenced during the planning commission meeting, the Park Place Urbanization Study's corridor was the boundary outlined in red on the exhibits.	Response at Planning Commission. No revisions to Plan.
9/28 Planning Commissioner	Inconsistencies in survey data results in the plan – what is correct result for the mailbox question?	Staff reviewed the data and found the report to be in conflict with the survey.	Plan has been updated. See page 43.
9/28 Planning Commissioner	Inconsistencies in survey data results in the plan – what is correct result for the percentage of people who walk?	Staff reviewed the data and found the report to be in conflict with the survey.	Plan has been updated. See page 26.
9/28 Planning Commissioner	The plan seems to prioritize parking over separate bike lanes	This was due to the citizens in the survey expressing a view that parking was more important. It also occurred due to the lack of space available within the existing right of way or future right of way due to environmental issues.	Discussion occurred with the Public Works Director and City Engineer. No revisions to Plan.
9/28 Planning Commissioner	Can we consider widening sidewalks so that bikes and pedestrians can both use sidewalk, instead of bikes using the street?	There is not sufficient room for added width due to existing structure location and environmental issues. The future buildout of the Trails Master Plan anticipates addressing this issue.	Discussion occurred with the Public Works Director and City Engineer. No revisions to Plan.

9/28 Planning Commissioner	Survey question wasn't "is it important to widen streets" but the results report that the respondents "do not want the street widened"	Staff agrees with this comment and revised the Study.	Plan has been updated. See page 26 and 27.
9/28 Planning Commissioner	Was a reduced speed limit presented as an option? Is it an option?	Staff has had conflicting views in recent years with citizenry, transportation advisory committee, and the lack of a true standard.	Discussion occurred with the Public Works Director and City Engineer. No revisions to Plan.
9/28 Planning Commissioner	Might it make sense to provide an asymmetrical street design with parking on just one side?	An asymmetrical design was considered. It is shown by the way sidewalks are prioritized on one side of the street shifting as needed from side to side.	No revisions to Plan.
9/28 Planning Commissioner	Confirm whether a charter amendment is actually needed to place a trail in Park Place Park.	After review of the Charter, it isn't 100% clear whether the potential trail thru a park requires approval.	Discussion occurred with City Attorney. There is a question about a thru path whether that constitutes a charter approval. To be safe, the Study retains the language to advise future users of the Study using the word 'may'. See page 52.
9/28 Planning Commissioner	Are we not concerned about car and bike conflicts?	Due to the typical speeds and volumes of traffic on local roads, sharrows, as stated in the TSP, still are the best engineering option. The conflicts on local roads are minimal. BY adding bike lanes to Swan and keeping the ones on Holcomb, the separation of car and bike have been addressed.	No revisions to Plan.
9/28 Planning Commissioner	Can we add information in the plan about the process or next steps that would come before a sidewalk would actually be constructed by the City? What type of coordination with property owners will occur?	The Study is used as a cross section template and discusses the process that occurred to get to final cross sections. The Study's intent is not to describe implementation. Implementation requires budgeting, public outreach, and further detailed planning as is completed with any capital improvement project or development project.	No revisions to Plan.
10/11 Testimony	Desire to remove survey responses from people outside of the neighborhood (approximately 13% of total responses) from the final data analysis.	Some survey respondents may have been people who own property in Park Place but live outside of the area. Others may be people who visit the area.	No revisions to Plan.

10/11 Testimony	Cleveland Street is steep and is not safe for bikes, please change it to Priority 2. Why are sidewalks included on the south side rather than the north side?	Sidewalk infill will occur on either side as part of new development. The sidewalk prioritization plan prioritizes areas that likely will not get sidewalk infill from development.	No revisions to Plan.
10/11 Testimony	View Manor development was supposed to include sidewalks when it was built over 50 years ago. There is more need for sidewalks there than anywhere else.	Redevelopment of the property would require sidewalks in accordance with municipal code.	No revisions to Plan.
10/11 Planning Commission	Recommendation for approval with conditions that they would like to see more bike lanes and more traffic calming measures in the neighborhood as the plan is implemented.	The plan has been updated to reflect the recommendation of the Planning Commission.	See page 53 of revised Plan.
11/3 City Commission	Concerns about changes to overall right-of-way width; would like to know what the difference is between the existing right of way width and the proposed width.	Figure 4-10 has been added to highlight the existing right of way vs. proposed right of way for each affected street segment in the project area. Figures 4-3 through 4-6 now show the existing right of way ranges as well as the proposed widths.	See pages 48-49 and page 54 of the revised plan.
11/3 City Commission	The maps do not match the description of the focus area in the plan document.	The full project area was evaluated so that no streets would be missed. Areas to the east of Swan Ave consist of more recent development and are, for the most part, fully-developed roadways built to local roadway standards. The areas to the east of Swan Ave will be reviewed for existing gaps and possible network improvements, but the focus area of this project is intended to be the underdeveloped roadways from Swan Ave west within the Park Place Neighborhood.	Language has been added to section 1.1 on Page 1 for clarification.
11/3 City Commission	Number one need for this area is another arterial street connection outside of the neighborhood. Need clarification about how Park Place Concept Plan relates to this plan.	The Park Place Concept Plan (March 2008) describes a planned development to the south of the study area. This plan includes planned roadway extensions and connectivity to Holcomb Blvd at Swan Ave, and near the eastern end of the Park Place Neighborhood near Jada Way and Barlow Dr. The concept plan	A sentence has been added to section 1.2 on Page 2 for clarification. Page 22 also discusses the Park Place Concept Plan.

		Includes an extension of Holly Lane, which will provide the connectivity desired. The Park Place Urbanization Plan does not attempt to modify anything in the adopted Park Place Concept Plan.	
11/3 City Commission	Even though Holcomb Blvd is not included in this plan, it is important to understand what improvements are planned for Holcomb Blvd. The width of Holcomb would be helpful to include as well.	The City adopted Holcomb Blvd Pedestrian Enhancement Concept Plan (2005), and has included several projects for sidewalk infill, bike lanes, and crossings on Holcomb Blvd in the Transportation System Plan. The right of way width on Holcomb Blvd varies between approximately 51 feet and 73 feet where right of way has been dedicated through development projects.	No changes to plan.
12/7 City Commission Work Session	What percentage of the sidewalk prioritization funds could come from private development?	If private development were to complete all sidewalk improvements, it is projected that would involve approximately 49% of priority 1 sidewalks and 37% of priority 2 sidewalks. Remaining improvements or 'gaps' would likely need to be completed by the City.	See update to Section 5.2 on page 55
12/7 City Commission Work Session	Would like to see the name for Family Friendly Route cross section changed to something else	Staff has made a change in terminology to “local rural street cross section” so there is no confusion between Family Friendly Routes and the narrow local streets within the plan. This affects Figure 4-2, 4-7 and 4-8, section 4.2.1, figure 3-22, figure 3-5, figure 3-4, figure 3-3.	Terminology in the plan has been updated

ORDINANCE NO. 21-1016

**AN ORDINANCE OF THE CITY OF OREGON CITY AMENDING OREGON CITY
TRANSPORTATION SYSTEM PLAN BY ADOPTING THE PARK PLACE URBANIZATION
PLAN AS AN ANCILLARY DOCUMENT**

WHEREAS, the Transportation System Plan (TSP) is an ancillary document to the Oregon City Comprehensive Plan; and

WHEREAS, the Park Place Neighborhood is developed with numerous narrow streets that lack sidewalks, bike lanes, and curbs; and

WHEREAS, the City's Municipal code allows for modifications to street designs in Chapter 16.12.013; and

WHEREAS, the City has a need for specific street design guidance in Park Place for infill development that are tailored to fit the context of the neighborhood, as well as a prioritization plan for sidewalk infill in the neighborhood if capital funding becomes available; and

WHEREAS, the planning process included two online surveys targeted to the Park Place neighborhood, outreach to the Park Place Neighborhood Association, the Transportation Advisory Committee, information posted on the city website, and a public notice; and

WHEREAS, the Planning Commission held a public hearing on October 11, 2021 and recommended approval of the proposed plan to the City Commission; and

WHEREAS, the City Commission held a public hearing on November 3, 2021 and found that the proposed plan complies with the applicable criteria for Legislative approval as discussed in the Staff Report and Recommended Findings for File LEG-21-00003.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The City of Oregon City Transportation System Plan is amended to adopt the Park Place Urbanization Study as provided in attached Exhibit A.

Section 2. The Legislative action taken by the Ordinance is explained and justified by the Analysis and Findings for LEG 21-00003.

Read for the first time at a regular meeting of the City Commission held on the 15th Day of December 2021, and the City Commission finally enacted the foregoing ordinance this _____ day of _____, 2021.

RACHEL LYLES SMITH, Mayor

Attested to this _____ day of _____,

Approved as to legal sufficiency:

Jakob S. Wiley, Assistant City Recorder

City Attorney

Attachments:

Exhibit A - Park Place Urbanization Plan and Appendices



OREGON CITY

Planning Division and Public Works: Development Services

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

LEGISLATIVE STAFF REPORT AND RECOMMENDATION

A preliminary analysis of the applicable approval criteria for a legislative proposal is enclosed within the following report.

September 20, 2021

HEARING DATE: September 27, 2021 - Planning Commission

FILE NUMBER: LEG-21-00003

APPLICATION TYPE: Legislative (OCMC 17.50.170)

APPLICANT: City of Oregon City, c/o Public Works Department, PO Box 3040, Oregon City, OR 97045
John Lewis, Public Works Director

REQUEST: Adoption of Park Place Urbanization Plan as part of the Transportation System Plan

LOCATION(S): Park Place Neighborhood

I. BACKGROUND:

File No. LEG-21-00003 updates the Oregon City Transportation System Plan by adopting the Park Place Urbanization Plan. The Oregon City Transportation System Plan is an ancillary document to the Oregon City Comprehensive Plan.

According to the 2004 Oregon City Comprehensive Plan (Introduction, "Implementing the Plan" Page 4): "Ancillary Plans are adopted by the City Commission for such things as parks and recreation, transportation systems, water facilities, and sewer facilities. Usually prepared by City departments through a public process, ancillary plans are approved by the City Planning Commission and adopted by the City Commission to provide operational guidance to city departments in planning for and carrying out city services. These plans are updated more frequently than the Comprehensive Plan."

The applicant submitted the following description of the Park Place Urbanization Plan:

The Park Place Urbanization Plan is a document that proposes street specific cross sections for various streets within the Park Place Neighborhood Association boundary.

These street designs differ from the typical street cross sections within the Transportation System Plan. The differences in street design are a response to existing conditions in Park Place of narrow, semi-rural streets. The plan prioritizes certain streets for the inclusion of sidewalks as private development occurs or as capital improvement funding becomes available.

The Park Place Neighborhood was annexed into the City 20+ years ago and consists of rural County style roads without many urban improvements such as curbs, sidewalks, and bike lanes. As private development has occurred, the existing road network has been improved as possible within the constraints of existing structures and environmental conditions. New streets in the neighborhood are built according to the standard street designs found within the Transportation System Plan. The Urbanization Plan only focuses on the existing streets that currently lack sidewalks, curbs and bicycle facilities. The goal of the plan is to ensure future urbanization is consistent, reasonable with respect to existing conditions (structure locations, environmental), and fulfills the Transportation System, while also balancing that with the desires of those living in the neighborhood.

The City sought a grant for the Plan in 2020 and presented the concept of the Plan to the Planning Commission on June 8, 2020, City Commission on June 15, 2020, Transportation Advisory Committee on June 16, 2020, and the Park Place Neighborhood Association on June 29, 2020.

The City was not successful in getting the grant; therefore, a consultant was hired with budgeted funds to complete the plan. The first public meeting occurred on January 18, 2021 with the Park Place Neighborhood Association. The last meeting held on the project was with the Project Management Team on July 13, 2021.

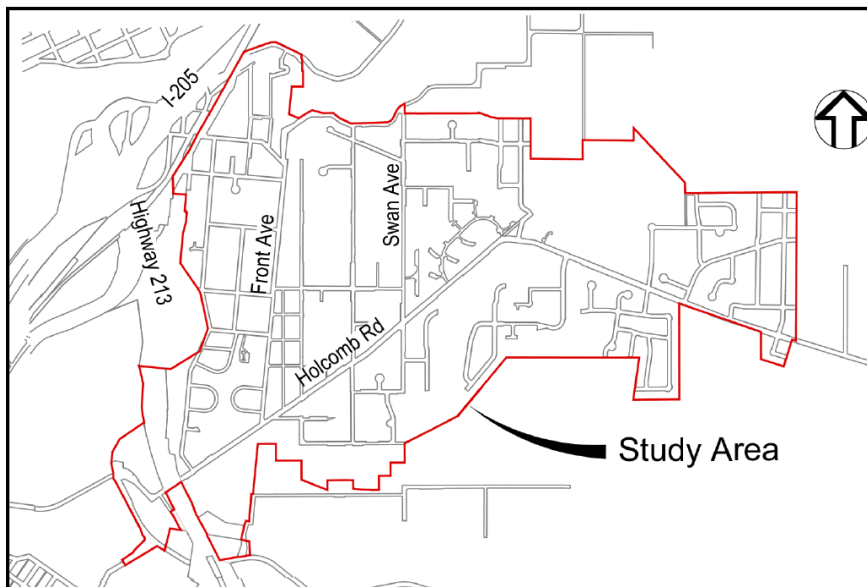


Figure 1: Project Area

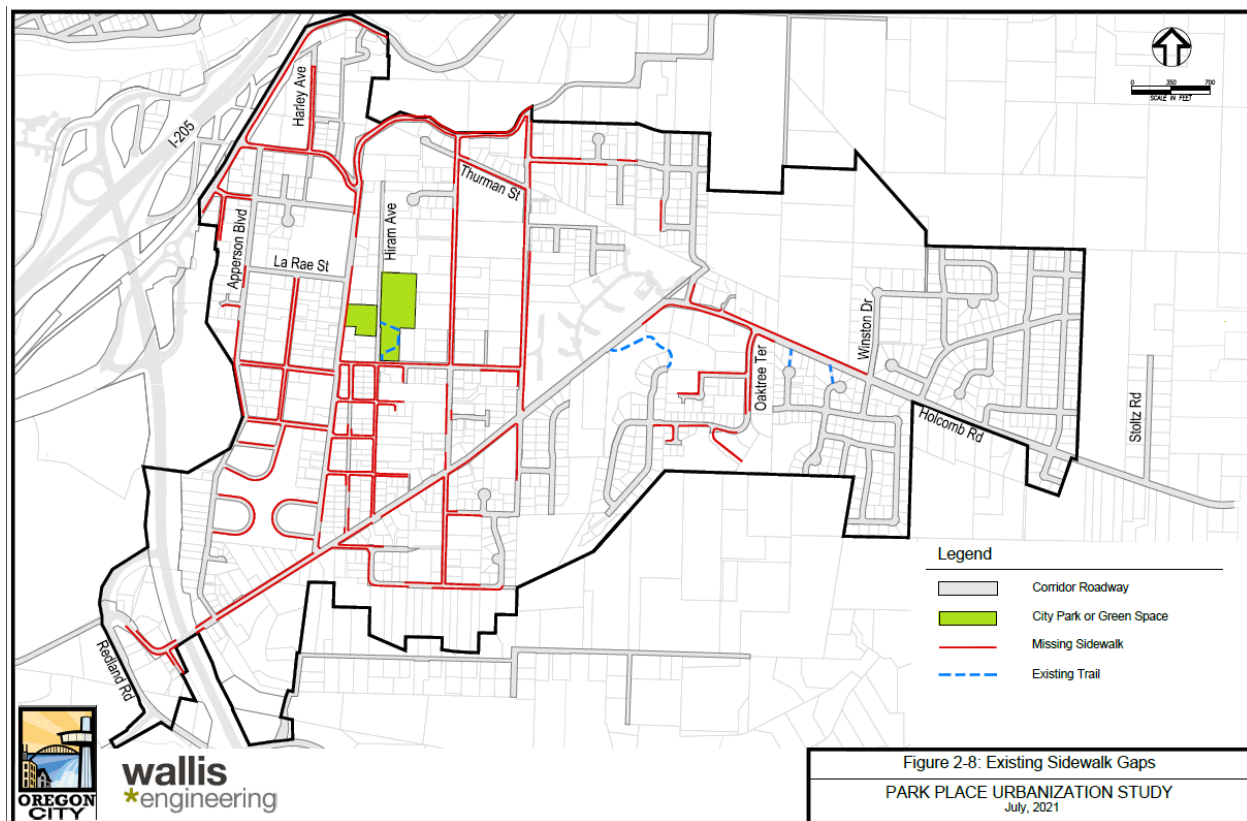
Most of the streets in the project area were not built to current roadway classification standards – with the exception of the recently-constructed roadways east of Swan Ave. In the older section of the neighborhood, there is considerable dimensional variation in right-of-way, travel lanes, stormwater conveyance, and widths and existence of both sidewalk and bike lanes.



**Figure 2-5: Narrow Roadway
(Hiram Ave)**

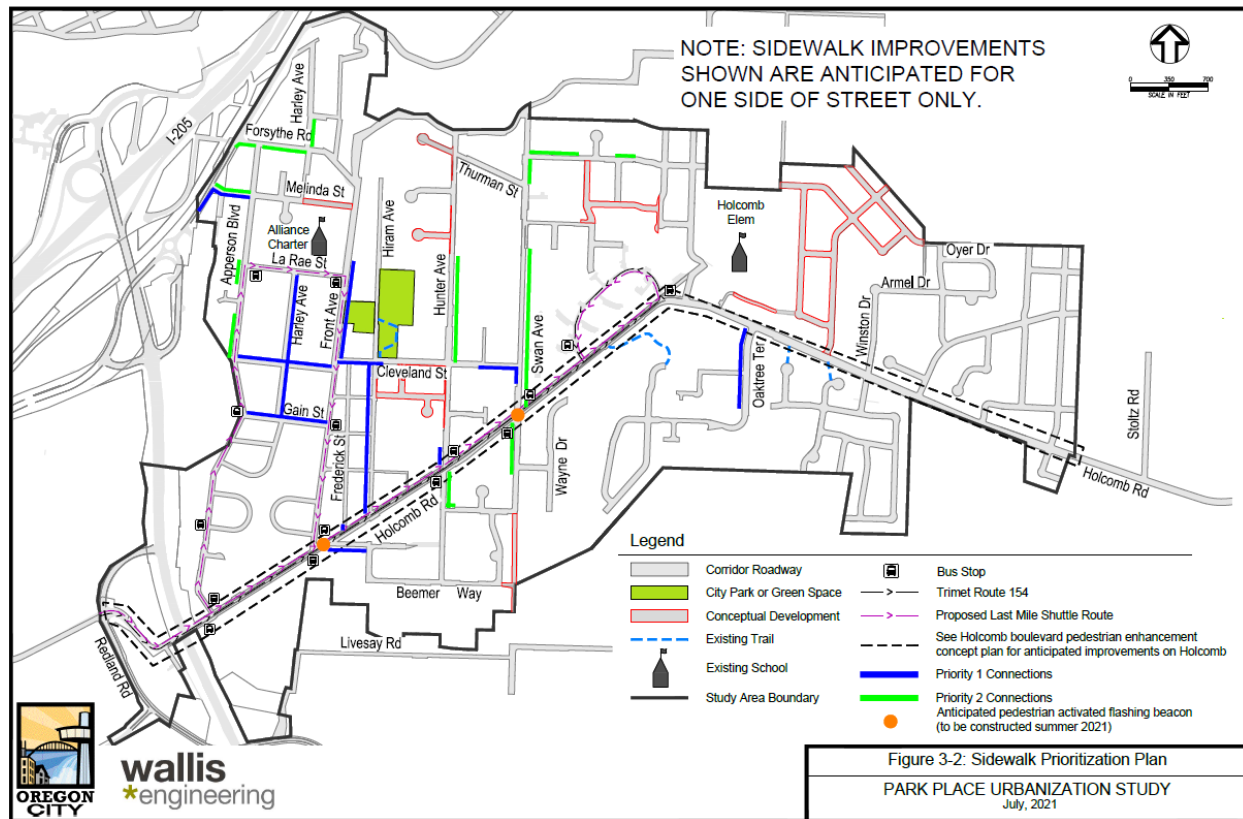


**Figure 2-6: Variable Roadway Widths
(Cleveland St.)**



The plan prioritizes sidewalk improvement locations near properties that were unlikely to develop in the near term. Pedestrian improvements were broken into two phases. The first phase would include those projects that accomplished the plan goals at the lowest cost, and with the lowest possible impact. Impacts were defined as requiring the purchase of Right-of-Way, proximity to Natural Resource Overlay

District boundaries and challenges to construction. The second phase would include sidewalk segments that were further from Holcomb Blvd, served fewer residents, or were necessary to complete a continuous connected network but had development potential.



The plan includes specific street designs for the following street segments, concentrated in the area north of Holcomb Boulevard and west of Holcomb Elementary:

1. Apperson Street
2. Front Avenue
3. Hunter Avenue (North of Holcomb)
4. Swan Avenue
5. Family Friendly Routes, which include the following:
 - Frederick Street
 - Gain Street
 - Harley Avenue
 - Hunter Ave (south of Holcomb)
 - Hiram Avenue
 - Rock Street
 - Clear Street
 - LaRae Rd
 - Short Avenue
 - Jacobs Way

All other streets are considered local streets in the plan, and will utilize the typical street design for local streets found in the TSP and in the Municipal code.

The Park Place Urbanization Plan differs from the TSP in the following ways:

- Cleveland Street does not keep the family friendly route status, instead is classified as a local street
- Beemer Way does not keep the family friendly route status, instead is classified as a local street
- Front Avenue does not keep the family friendly route status, instead has its own specific street design
- Additional family friendly route designations as noted above

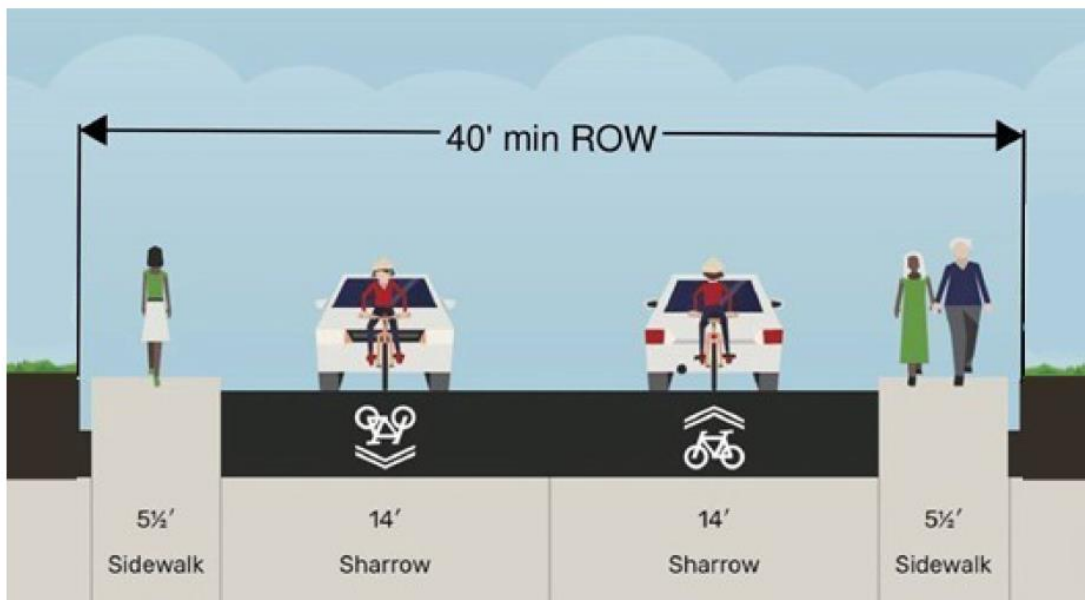


Figure 4-3: Apperson Street Cross Section

The design for Apperson Street includes 28 feet of pavement, with 5.5-foot sidewalks. On-street parking will not be restricted. Bicycles do not have separate facilities and share the lanes with other vehicles. Street trees will be planted behind the sidewalk.

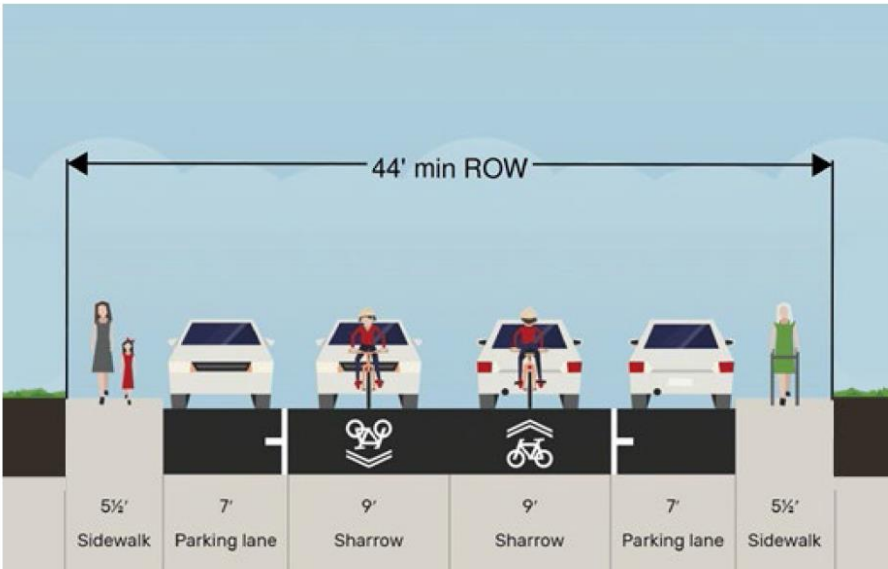


Figure 4-4: Front Avenue Cross Section

The design for Front Avenue allows for on-street parking on both sides of the street, with 5.5-foot sidewalks. Bicycles do not have separate facilities and share the lanes with other vehicles. Street trees will be planted behind the sidewalk.



Figure 4-5: Hunter Street Cross Section

The design for Hunter Avenue allows for on-street parking on both sides of the street, with 5-foot sidewalks. Bicycles do not have separate facilities and share the lanes with other vehicles. Street trees will be planted in a 4.5 foot landscape strip between the sidewalk and the street pavement. In areas where the street crosses through a Natural Resource or Geologic Hazard Overlay, the landscape strip would be eliminated to reduce the overall width.

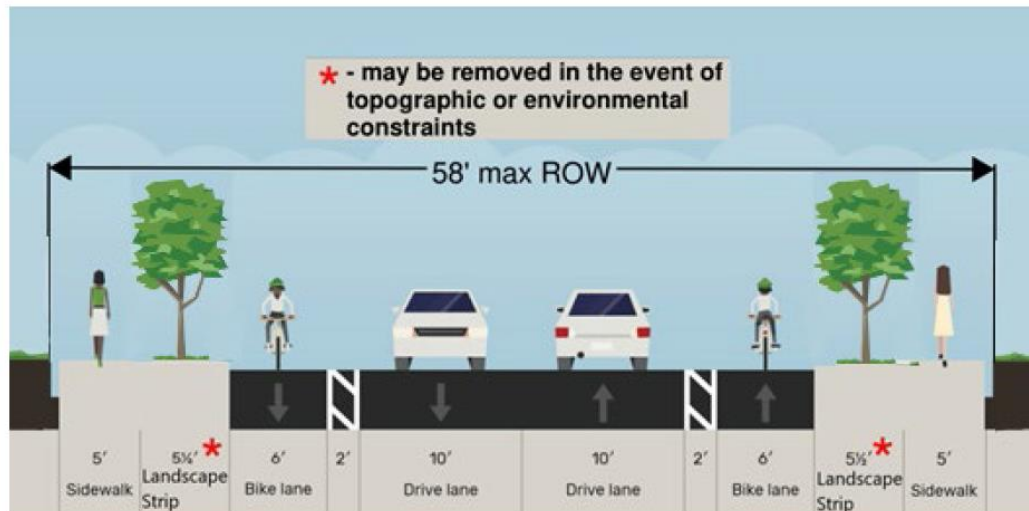


Figure 4-6: Swan Avenue Cross Section

The design for Swan Avenue allows for on-street parking on both sides of the street, with 5-foot sidewalks. Bicycles have separate lanes including a 2-foot buffer. No on-street parking will be permitted. Street trees will be planted in a 5.5 foot landscape strip between the sidewalk and the street pavement. In areas where the street crosses through a Natural Resource or Geologic Hazard Overlay, the landscape strip would be eliminated to reduce the overall width.

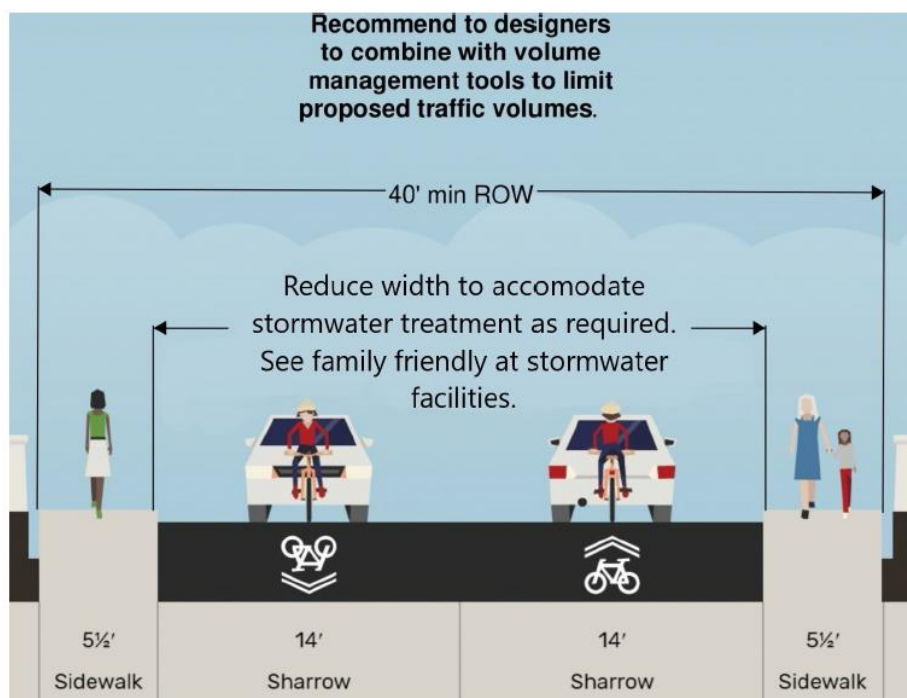


Figure 3-4: Family Friendly Street Cross Section

The design for family friendly streets includes 28 feet of pavement with 5.5-foot sidewalks. On-street parking will not be restricted. Bicycles do not have separate facilities and share the lanes with other

vehicles. Street trees will be planted behind the sidewalk. Where stormwater facilities are needed, the pavement will narrow to 20 feet and 4.5-foot wide rain gardens will be placed between the sidewalk and the pavement.

PROCESS

Adoption of the plan is a legislative action that requires review and recommendation from the Planning Commission prior to adoption by the City Commission.

Public Involvement and Public Comment

The Park Place Urbanization Plan process provides opportunities for public involvement in the legislative decision making process through the public hearing process, newspaper noticing, meetings with the Transportation Advisory Committee, Park Place Neighborhood Association, affected agencies such as the School District and Clackamas Housing, and work sessions with the Planning Commission and City Commission.

The public involvement and public comment process included: placing project information on the City's website, (3) meetings with the Park Place Neighborhood Association, (2) meetings with the Transportation Advisory Committee, (3) meetings with the Planning Commission, (2) meeting with the City Commission, and e-mail to Oregon City School District and Clackamas Housing Authority. In addition, Oregon City convened a Park Place Urbanization Plan Project Management Team (PMT) which included: participants from two Oregon City departments (Public Works, Planning). The PMT met (6) times over the course of the project. In addition, TriMet, Oregon City Parks and Recreation, Police Department, Clackamas Fire District No. 1, and South Fork Water Board were all provided links to the Draft Urbanization Study to be able to provide comment.

The Park Place Urbanization Plan has been available for review on the Oregon City website at the following address: <https://www.orcity.org/publicworks/project/ps-20-027>.

The project team held several public meetings and other public notices and outreach efforts:

- Park Place Neighborhood Association – Overview : January 18, 2021
- Survey #1 Postcard : January 22, 2021 – February 26, 2021
- Development Stakeholder's Group – Overview : March 11, 2021
- Park Place Neighborhood Association – Results of Survey #1, Plan for Survey #2 : April 19, 2021
- Survey #2 Postcard : May 10, 2021 – May 31, 2021
- July 19, 2021 : E-mail to Park Place Neighborhood Association Chair requesting desire for any further review
- July 26, 2021 : E-mail to all Oregon City Public Works Managers and Engineering, Oregon City Police, Oregon City, Oregon City School District, Oregon City Parks and Recreation, South Fork Water Board, Clackamas Fire No. 1, and Clackamas Housing Authority requesting any comments
- July 27, 2021 : Draft Plan placed on project website
- July 28, 2021 : E-mail to Park Place Neighborhood Association and CIC Chairs requesting desire for any further review
- July 29, 2021 : E-mail to TriMet requesting any comments

Results of one of the surveys are summarized in the following infographic. The top safety concerns from respondents were the lack of sidewalks, and speeding. If there were safer sidewalks, about half of respondents say they would travel more often within the neighborhood. Over half of respondents don't want the roadways to widen, but do believe it is important to separate bicyclists from cars. Over half of respondents do not believe sharrows provide adequate protection when bicycling within the neighborhood.



Figure 3-1: Public Survey #1 Results

The following meetings are scheduled for final review and adoption of the plan. These dates are subject to change:

- Transportation Advisory Committee : September 21, 2021
- Planning Commission, Meeting #1 : September 27, 2021
- Planning Commission, possible Meeting #2 : October 25, 2021
- City Commission, possible Meeting #1 : November 3, 2021

The Legislative Process as it relates to the Oregon City Comprehensive Plan

The applicable approval criteria for a legislative action are the guidance provided in the Oregon City Comprehensive Plan, the applicable goals and policies of the Oregon City Comprehensive Plan, and any applicable statewide planning goals.

Section 2 – *Land Use* of the 2004 Oregon City Comprehensive Plan indicates that the regular review and updated of the Comprehensive Plan should consider the following:

1. Plan implementation process.
2. Adequacy of the Plan to guide land use actions, including an examination of trends.
3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

Oregon City Comprehensive Plan (P.16)

Regular Review and Update

Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider:

1. Plan implementation process;

The adoption of the Park Place Urbanization Plan does not make any changes to the existing goals and policies of the Comprehensive Plan. The Park Place Urbanization Plan is a special purpose plan that is part of the City's Transportation System Plan, an adopted Ancillary Document to the Oregon City Comprehensive Plan. The TSP is both a technical document and a conceptual guide that requires regular review in order to maintain and update it. The applicant, Oregon City Public Works Department, has presented the update for input by the residents, affected agencies, property owners, the Transportation Technical Advisory Committee, Neighborhood Associations, Planning Commission and City Commission in accordance with the recommended method described in the Comprehensive Plan and pursuant to the applicable process described in Oregon City Municipal Code section 17.50.170. The plan implementation process is consistent with the Comprehensive Plan.

2. Adequacy of the Plan to guide land use actions, including an examination of trends.

The Comprehensive Plan is a high level planning document that does not address specific streets or street designs. The adoption of the Park Place Urbanization Plan does not make any changes to the

existing goals and policies of the Comprehensive Plan. The Park Place Urbanization Plan provides additional specificity, including an analysis of existing conditions and provides direction for future development, funding and needs. The plan provides a comprehensive review of the corridor system for all modes of transportation and provides an adequate guide for future land use actions and the development of criteria to be utilized in land use actions. The plan includes construction cost estimates and contingencies for the planning and design of recommended system facilities for the corridor.

3. *Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.*

The Comprehensive Plan was adopted in 2004. The City is currently undertaking an effort to update the Comprehensive Plan – Project OC2040. The City completed an update in 2013 to the Transportation System Plan (TSP), which is consistent with the 2004 Comprehensive Plan. The adoption of the Park Place Urbanization Plan does not make any changes to the existing goals and policies of the Comprehensive Plan.

The Oregon City Public Works Department Plan considers the Park Place Urbanization Plan a necessary planning document for designing streets in the neighborhood for multiple modes (vehicles, pedestrian, bicycles, freight, transit and motorcycles), and to accommodate future growth in the Park Place Neighborhood. As part of this planning effort, the consultant conducted existing conditions analysis of the existing transportation system, a future needs assessment, and an analysis of alternatives within the planning area.

The Park Place Neighborhood Association expressed the following concerns with the current existing infrastructure:

- Adequate infrastructure (in particular, sidewalks) is not sufficient with the study area.
- There is a disconnect between the expectations in the community and the criteria that the city follows to build out infrastructure, and there is significant uncertainty about how to pay for infrastructure.
- There are inequalities in infrastructure, such as a lack of sidewalks in existing parts of the city, and new development cannot pay to correct all these deficiencies.
- Development is only required to pay for its direct impacts and its proportional share of off-site improvements, which may happen incrementally.
- County and other non-Oregon City vehicular traffic uses the capacity of the city's transportation system but does not pay for it.
- The city should not wait until infrastructure is failing to "fix" it.
- The Holcomb Boulevard Pedestrian Plan has not been fully implemented.

4. *Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.*

The adoption of the Park Place Urbanization Plan does not make any changes to the existing goals and policies of the Comprehensive Plan. It is not proposed as a response to new updated factual information. The Park Place Urbanization Plan was developed with an analysis of traffic crash history perspective within the study area. These statistics were used to prioritize projects within the study area.

In addition, as part of the extension corridor plan analysis, the consultant team conducted research of publicly-available documentation and a reconnaissance level review of the environmental constraints in the corridor. Mapping of the site was intended to help designers understand where they could avoid and minimize impacts to natural resources.

Public Notice and Comments

This is a legislative action that requires public notice pursuant to OCMC 17.50.090.C. - *Notice of Public Hearing on a Legislative Proposal*. The Community Development Director provided the required Post Acknowledgement Plan Amendment (PAPA) notice to the Oregon Department of Land Conservation and Development on August 20, 2021. Notice of the September 27, 2021 Planning Commission public hearing was provided to the Citizen Involvement Committee, Neighborhood Associations, and affected service districts, agencies and parties by email.

No public comments were received before publication of this staff report. The Building Division indicated that the proposal does not conflict with their interests.

II. DECISION-MAKING CRITERIA

The remainder of this staff report provides additional findings to demonstrate that the proposed Park Place Urbanization Plan is consistent with applicable approval criteria.

Chapter 17.68 - Zoning Changes and Comprehensive Plan Amendments

17.68.010 - Initiation of the amendment.

A text amendment to the comprehensive plan, or an amendment to the zoning code or map or the Comprehensive Plan map, may be initiated by:

- A. A resolution request by the City Commission;*
- B. An official proposal by the Planning Commission;*
- C. An application to the Planning Division; or.*
- D. A Legislative request by the Planning Division.*

All requests for amendment or change in this title shall be referred to the Planning Commission.

Finding: The proposal qualifies as initiated as a legislative request by the initiation of a request by the Public Works Department via the Planning Division.

17.68.015 –Procedures.

Applications shall be reviewed pursuant to the procedures set forth in Chapter 17.50.

17.50.170 - Legislative hearing process.

A. Purpose. Legislative actions involve the adoption or amendment of the city's land use regulations, comprehensive plan, maps, inventories and other policy documents that affect the entire city or large portions of it. Legislative actions which affect land use shall begin with a public hearing before the planning commission.

B. Planning Commission Review.

1. Hearing Required. The planning commission shall hold at least one public hearing before recommending action on a legislative proposal. Any interested person may appear and provide written or oral testimony on the proposal at or prior to the hearing. The community development director shall

notify the Oregon Department of Land Conservation and Development (DLCD) as required by the post-acknowledgment procedures of ORS 197.610 to 197.625, as applicable.

C. City Commission Review.

1. *City Commission Action.* Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.

2. *Notice of Final Decision.* Not later than five days following the city commission final decision, the community development director shall mail notice of the decision to DLCD in accordance with ORS 197.615(2).

Finding: Complies as Proposed. This legislative action is following the procedures found in OCMC 17.50.170.

17.68.020 - Criteria.

The criteria for comprehensive plan amendment or text or map amendment in the zoning code are set forth as follows:

A. *The proposal shall be consistent with the applicable goals and policies of the comprehensive plan;*

Finding: Complies as Proposed. This legislative action is consistent with the applicable goals and policies of the comprehensive plan as detailed in the responses below. Therefore, the proposed amendments are consistent with Criterion (A).

Oregon City Comprehensive Plan

Section 1 Citizen Involvement

Goal 1.2 Community and Comprehensive Planning

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

Policy 1.2.1 - Encourage citizens to participate in appropriate government functions and land-use planning.

Goal 1.3 Community Education - Provide education for individuals, groups, and communities to ensure effective participation in decision-making processes that affect the livability of neighborhoods.

Goal 1.4 Community Involvement - Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation of policies.

Policy 1.4.1 - Notify citizens about community involvement opportunities when they occur.

Finding: Complies as Proposed. Oregon City Public Works Department sought public input at several meetings including the Transportation Advisory Committee, Park Place Neighborhood Association, Development Stakeholder Group. Documentation produced with the corridor plan has been posted on the project website throughout the duration of the project and comments have been integrated into the

final product. The Citizen Involvement Committee declined an offer to place the item on their agenda, stating that the previous meetings with the Park Place Neighborhood Association sufficed. The product will be reviewed through the Legislative approval process.

Postcards were mailed to all property owners within the Park Place Neighborhood Association to guide them to the project website and to take two surveys, during the development of the plan.

The draft final plan, which has been posted on the website since late July 2021, will be presented to the Transportation Advisory Committee on September 21 and to the Planning Commission on September 27th.

Comprehensive Plan Section 2 Land Use

Section 2: Land Use

Finding: Complies as Proposed. No change to land uses are proposed. The Plan aims to connect residents to all uses within the neighborhood and beyond.

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

Policy 2.4.2 Strive to establish facilities and land uses in every neighborhood that help give vibrancy, a sense of place, and a feeling of uniqueness; such as activity centers and points of interest.

Finding: Complies as Proposed. The Plan aims to connect residents to all uses within the neighborhood and beyond, and to provide connections between unique neighborhood amenities such as Park Place Park, Holcomb Elementary, a charter school, and the commercial uses along Holcomb Boulevard. The Plan will add to the vibrancy of the area by creating a safer environment for people to travel within their neighborhoods on foot and by bicycle when funds become available to build the infrastructure.

Policy 2.4.3 Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.

Finding: Complies as Proposed. The Plan aims to connect residents to all uses within the neighborhood and beyond, and to provide connections between unique neighborhood amenities such as Park Place Park, Holcomb Elementary, a charter school, and the commercial uses along Holcomb Boulevard.

Goal 2.7 Oregon City Comprehensive Plan Land-Use Map

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

Policy 2.7.2 Use the following 11 land-use classifications on the Oregon City Comprehensive Plan Land-Use Map to determine the zoning classifications that may be applied to parcels:

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

- *Mixed Use Employment (MUE)*

Finding: Complies as Proposed. This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. The proposal will maintain the existing Oregon City Land Use Map as the official long range planning guide for land use development of the city by types, density and location (Goal 2.7).

Goal 3: Agricultural Lands

Finding: Goal 3 is not applicable.

Goal 4: Forest Lands

Finding: Goal 4 is not applicable.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Goal 5.1 – Open Space

Policy 5.1.1 Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.

Policy 5.1.2 Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites should harmonize with natural surroundings.

Finding: Complies as Proposed. This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed (Goal 5.1).

Goal 5.2 Scenic Views and Scenic Sites

Policy 5.2.1 Identify and protect significant views of local and distant features such as Mt. Hood, the Cascade Mountains, the Clackamas River Valley, the Willamette River, Willamette Falls, the Tualatin Mountains, Newell Creek Canyon, and the skyline of the city of Portland, as viewed from within the city.

Policy 5.2.2 Maximize the visual compatibility and minimize the visual distraction of new structures or development within important viewsheds by establishing standards for landscaping, placement, height, mass, color, and window reflectivity.

Finding: Complies as Proposed. This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed (Goal 5.1 and 5.2).

Goal 5.3 Historic Resources

Policy 5.3.3 Promote the designation of qualifying properties outside Historic and Conservation Districts as historic.

Policy 5.3.8 Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Finding: Complies as Proposed. This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. There are a few historic landmarks in the Park Place neighborhood, located along a few of the streets included in the Plan – Apperson Street, Front Avenue, Harley Avenue and Hiram Avenue. The Park Place Urbanization Plan calls for the addition of wider pavement, sidewalk, curbs and gutters in some of these areas. If any historic resources are impacted by right of way improvements or installations, historic review will be required in accordance with the Municipal Code, and street designs along a historic landmark frontage may vary in order to preserve historic character.

Goal 5.4 Natural Resources

Policy 5.4.1 *Conserve and restore ecological structure, processes and functions within the city to closely approximate natural ecosystem structure, processes, and functions.*

Policy 5.4.5 *Ensure that riparian corridors along streams and rivers are conserved and restored to provide maximum ecological value to aquatic and terrestrial species. This could include an aggressive tree and vegetation planting program to stabilize slopes, reduce erosion, and mitigate against invasive species and stream impacts where appropriate.*

Policy 5.4.9 *Protect and enhance riparian corridors along streams in Oregon City to increase shade, reduce streambank erosion and intrusion of sediments, and provide habitat for a variety of plants, animals, and fish.*

Policy 5.4.12 *Use a watershed-scale assessment when reviewing and planning for the potential effects from development, whether private or public, on water quality and quantity entering streams.*

Policy 5.4.13 *Adopt and/or establish standards for all new development that promote the use of pervious surfaces and prevent negative ecological effects of urban stormwater runoff on streams, creeks and rivers.*

Policy 5.4.16 *Protect surfacewater quality by:*

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

Policy 5.4.18 *Encourage use of native and hardy plants such as trees, shrubs and groundcovers to maintain ecological function and reduce maintenance costs and chemical use.*

Finding: Complies as Proposed. This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The plan states “An NROD buffer area of varying widths follows the two stream corridors through the neighborhood. Future improvements constructed within the NROD or its buffer

will be required to comply with City environmental standards.” Where a Natural Resource Overlay District is identified, the plan contains a narrower street design that balances safety and environmental protection. For example, on Hunter Avenue, the landscape strip is eliminated (see figure below). The Transportation System plan includes a constrained right of way discussion as follows:

Constrained Streets are generally located in steep, environmentally sensitive, rural, historic, or development limited areas of the City. These streets may require different design elements that may not be to scale with the adjacent land use. Constrained elements may include narrower or limited travel lanes, and pedestrian and bicycle facilities, or accommodations that generally match those provided by the surrounding developed land uses. To the extent possible, pedestrian and bicycle accommodations should be provided on an adjacent roadway, via a shared-use path or shared within the right-of-way using distinctive design details.

The proposed cross sections are consistent with the TSP. Eliminating the parking lane in constrained areas may also be considered, to further reduce the street width in sensitive areas.

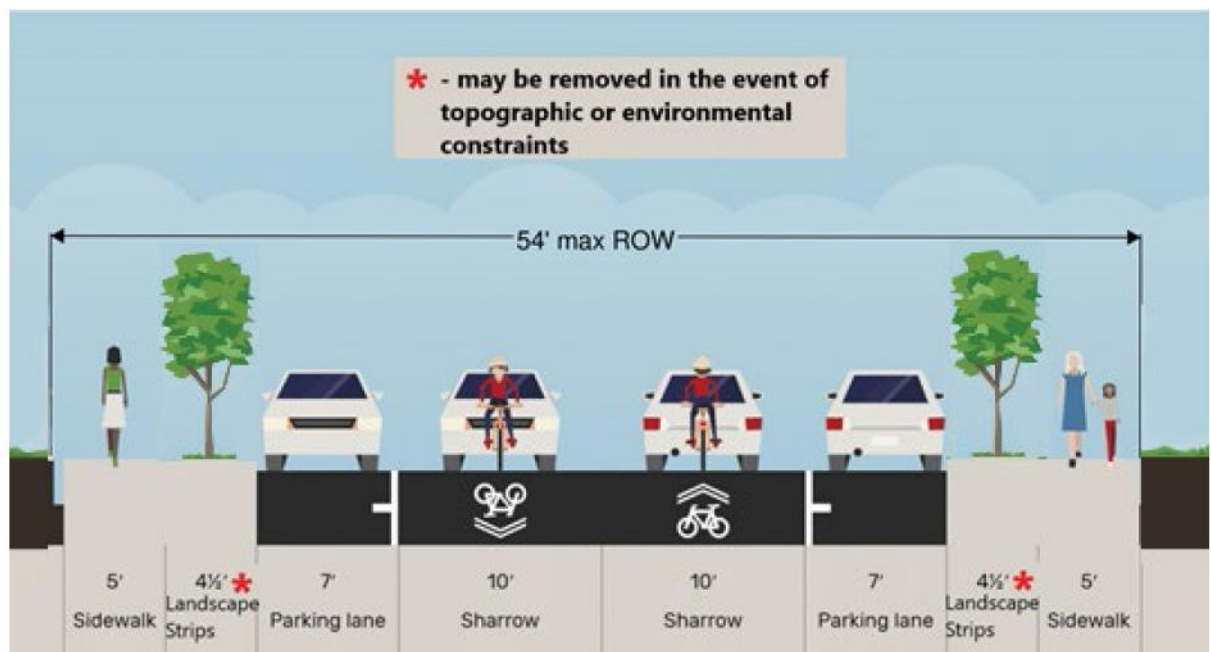
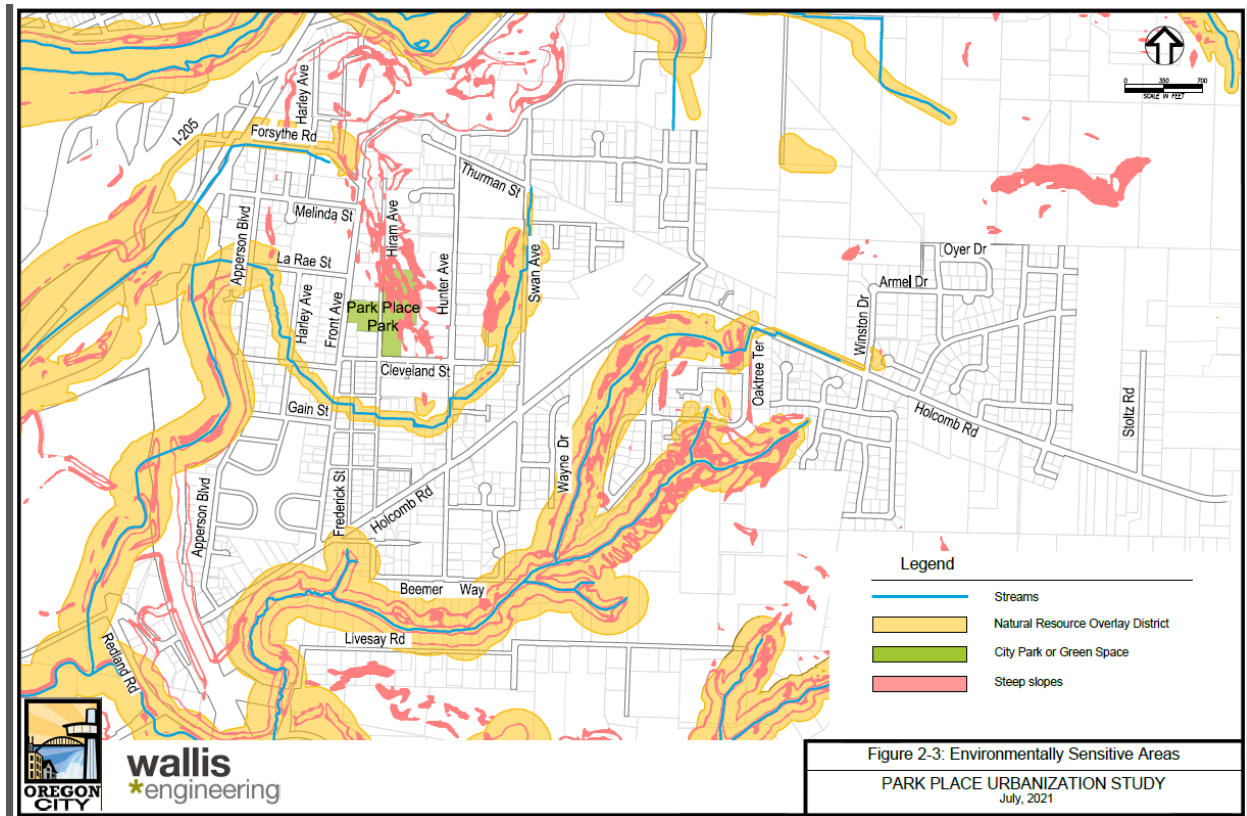


Figure 4-5: Hunter Street Cross Section



Section 6: Quality of Air, Water and Land Resources

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

Policy 6.1.2 -Ensure that development practices comply with or exceed regional, state, and federal standards for air quality.

Finding: Complies as Proposed. The plan included an analysis of natural resources. Creating safe travel corridors for pedestrian and bikes will allow more people to avoid driving, which will better preserve and protect natural resources.

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

Finding: Complies as Proposed. The plan eliminates the planter strip for some streets, allowing street trees to be planted behind the sidewalk. While this is not generally preferred, it is balanced with the desire to limit right-of-way width for some of the more narrow corridors.

Policy 6.3.3 Employ practices in City operations and facilities, including street lighting, which increases safety and reduces unnecessary glare, light trespass, and light pollution.

Finding: The plan does not address street lights; this is outside of the scope of the plan.

Goal 7.1: Natural Hazards

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

Finding: Complies as Proposed. When permits are sought for construction, any applicable land use review for Natural Resource Overlay District and Geologic Hazard Overlay District will be required. Where a Natural Resource Overlay District is identified, the plan contains a narrower street design that balances safety and environmental protection. See findings in Section 5.4 above.

Goal 8: Parks and Recreation

Finding: Goal 8 is not applicable. The plan will increase access to parks but will not change park locations or plans.

Goal 9: Economic Development

Finding: Goal 9 is not applicable.

Goal 10: Housing

Finding: Goal 10 is not applicable.

Goal 11: Public Facilities

Policy 11.1.1 *Ensure adequate public funding for the following public facilities and services, if feasible:*

Transportation infrastructure • Wastewater collection • Stormwater management • Police protection • Fire protection • Parks and recreation • Water distribution • Planning, zoning and subdivision regulation • Library services • Aquatic Center • Carnegie Center • Pioneer Community Center • City Hall • Buena Vista House • Ermatinger House

Finding: Complies as Proposed. Goal 11 requires that public facilities and services be provided in a timely, orderly and efficient manner. The goal's central concept is that local governments should plan public services in accordance with the community's needs as a whole rather than be forced to respond to individual developments as they occur. The Park Place Urbanization Plan will provide a design for public facilities as well as a means to obtain future funding. The plan also includes cost estimates for some of the sidewalk infill projects:

The project team developed cost estimates for each priority sidewalk group.

Priority 1 sidewalks –\$2,115,000

Priority 2 sidewalks – \$1,765,000

All estimates are at 2021 costs and should be adjusted for inflation as appropriate.

A breakdown of total costs and assumptions is included in **Appendix C**. These projects may be moved

forward into capital projects as funding becomes available.

Policy 11.4.2 *Adopt “green streets” standards to reduce the amount of impervious surface and increase the use of bioswales for stormwater retention where practicable.*

Finding: Complies as Proposed. The plan does not adopt a “green streets” standard but does reduce impervious surfaces to the minimum required for public safety. In many areas, the plan calls for curb-tight sidewalks (without a planter strip in between the street and sidewalk). This design prevents the use of bioswales and stormwater planters, but strikes a balance with right-of-way width.

Policy 11.4.4 Maintain existing drainageways in a natural state for maximum water quality, water resource preservation, and aesthetic benefits.

Finding: Complies as Proposed. The plan states “An NROD buffer area of varying widths follows the two stream corridors through the neighborhood. Future improvements constructed within the NROD or its buffer will be required to comply with City environmental standards.” Where a Natural Resource Overlay District is identified, the plan contains a narrower street design that balances safety and environmental protection.

Goal 12: Transportation

Policy 12.1.1 Maintain and enhance citywide transportation functionality by emphasizing multi-modal travel options for all types of land uses.

Policy 12.1.4 Provide walkable neighborhoods. They are desirable places to live, work, learn and play, and therefore a key component of smart growth.

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Public outreach efforts indicated that widening of existing roadways was not a priority. A greater priority was to establish walkable areas with provisions for pedestrians and bicyclists. The design team prepared cross sections for Family Friendly Streets to accomplish this goal. This cross section was applied to those streets that were currently narrow, in areas of limited right-of-way and were anticipated to have lower traffic volumes. The proposed cross section for Family Friendly Streets included a reduced width section where stormwater management facilities could be required.

Figure 3-4 and **Figure 3-5** show draft cross sections for Family Friendly Streets, with and without stormwater facilities.

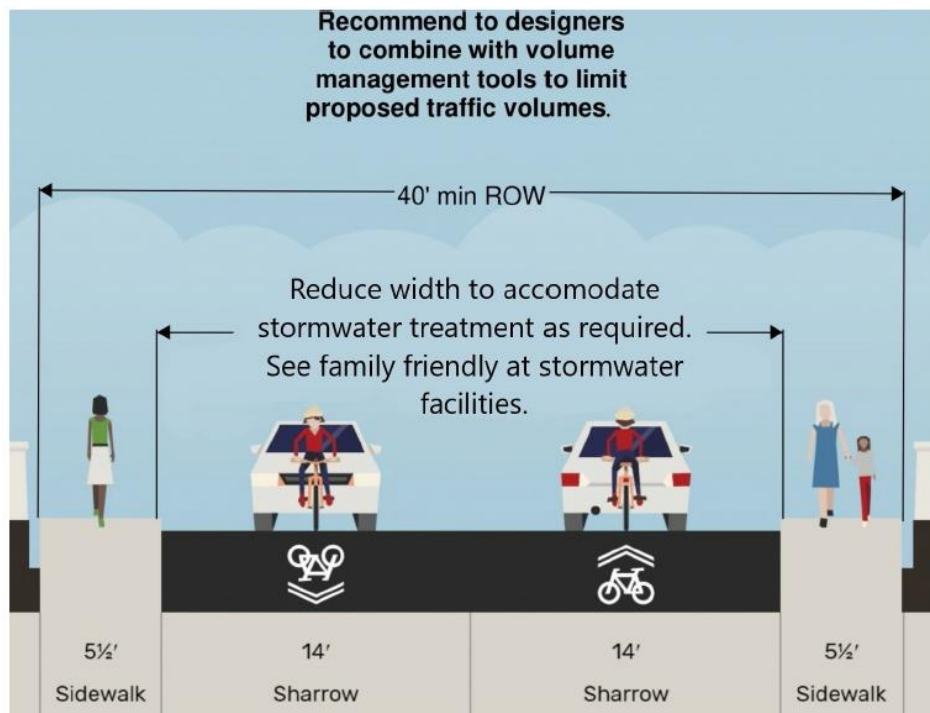


Figure 3-4: Family Friendly Street Cross Section

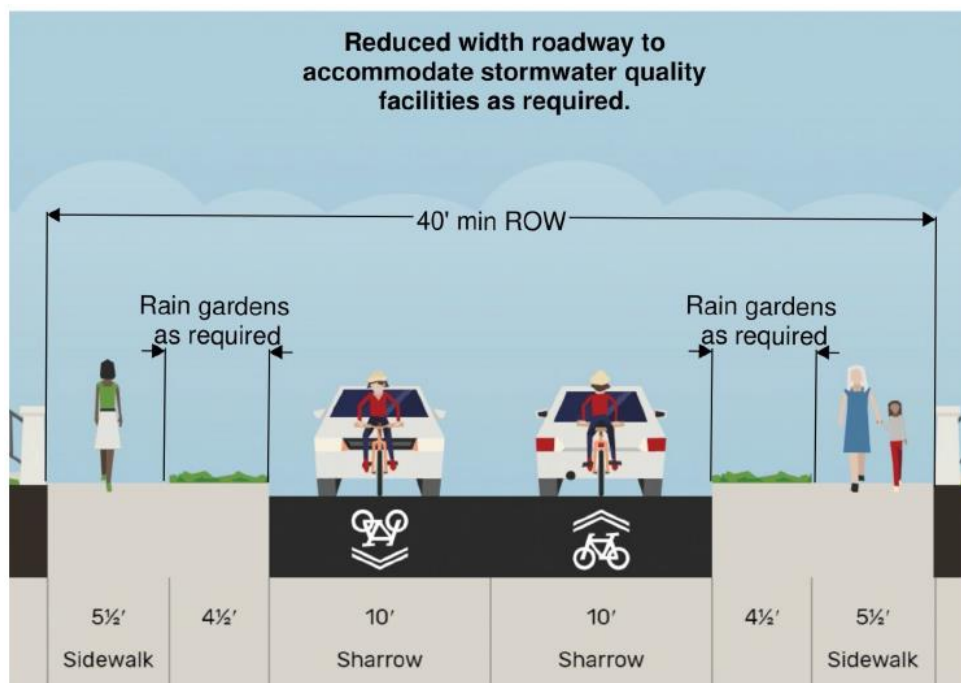


Figure 3-5: Family Friendly at Stormwater Facilities

The plan recommends "As the neighborhood develops, it is recommended traffic calming measures are implemented to manage vehicle speeds. These improvements should be considered especially for all roadways designated as Family friendly. The outreach results should provide to future designers a hierarchy of speed management measures by neighborhood preference from which to choose. Designers should still assess traffic calming measures for safety and effectiveness on an individual use basis."

Policy 12.3.1 *Provide an interconnected and accessible street system that minimizes vehicle-miles-traveled and inappropriate neighborhood cut-through traffic.*

Finding: Complies as Proposed. As shown in the Figure 3-4 above, the plan recommends volume control on local streets where needed.

Policy 12.3.2 *Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes. The design team noted that connectivity through the study area is limited, particularly for pedestrians and bicyclists. Swan Ave and Hunter Ave provide north-south connectivity through the neighborhood for motorists. However, there is no continuous east-west connection through the study area with the exception of Holcomb Blvd. Holcomb Blvd being an arterial roadway with high traffic volumes is a barrier to bicycle users due to the need to cross back and forth across Holcomb Blvd. Cleveland St has some east-west connectivity, but it terminates at Swan Ave on the east side and includes sections with

steep elevation changes which make it less suitable for bicycle and pedestrian travel. The plan calls for development projects to be reviewed for opportunities to address East-West Connectivity within the study area.

Policy 12.3.3 *Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.*

Finding: Complies as Proposed. The plan provides for shared bicycle lanes (sharrows) on all family friends route and on Apperson St, Front Ave, and Hunter Avenue. Bicycle lanes with a 2-foot buffer strip are planned on Swan Avenue. The Transportation System Plan includes sharrows as a good option for streets with low traffic volumes and speeds – “The most suitable roadways for shared bicycle use are those with low speeds (25 mph or less) and low traffic volumes (3,000 vehicles per day or fewer).” (TSP Volume II Section D Page 12). While the City does not have volume or speed data for Swan Avenue or Hunter Avenue, the volumes on Front avenue and Apperson Street (from 2017 counts) are similar to local streets.

Policy 12.3.4 *Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails.*

Finding: Complies as Proposed. The plan does not alter any bicycle or pedestrian improvements or connections already planned in the TSP.

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

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

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

Policy 12.5.3 *Improve the safety of vehicular, rail, bicycle, and pedestrian crossings.*

Finding: Complies as Proposed. The plan includes the provision of sidewalks and bicycle lanes to improve safety for people who wish to walk or bike, and for those who drive in the neighborhood. The plan also recommends traffic calming - “As the neighborhood develops, it is recommended traffic calming measures are implemented to manage vehicle speeds. These improvements should be considered especially for all roadways designated as Family friendly. The outreach results should provide to future designers a hierarchy of speed management measures by neighborhood preference from which to choose. Designers should still assess traffic calming measures for safety and effectiveness on an individual use basis.” Traffic calming ideas presented in the plan include:

1. speed humps
2. neck downs
3. traffic circles
4. speed lumps
5. curb extensions

Policy 12.6.1 *Provide a transportation system that serves existing and projected travel demand.*

Finding: Complies as Proposed. The plan is consistent with the TSP, which is based on projected travel demand.

Policy 12.6.2 Identify transportation system improvements that mitigate existing and projected areas of congestion.

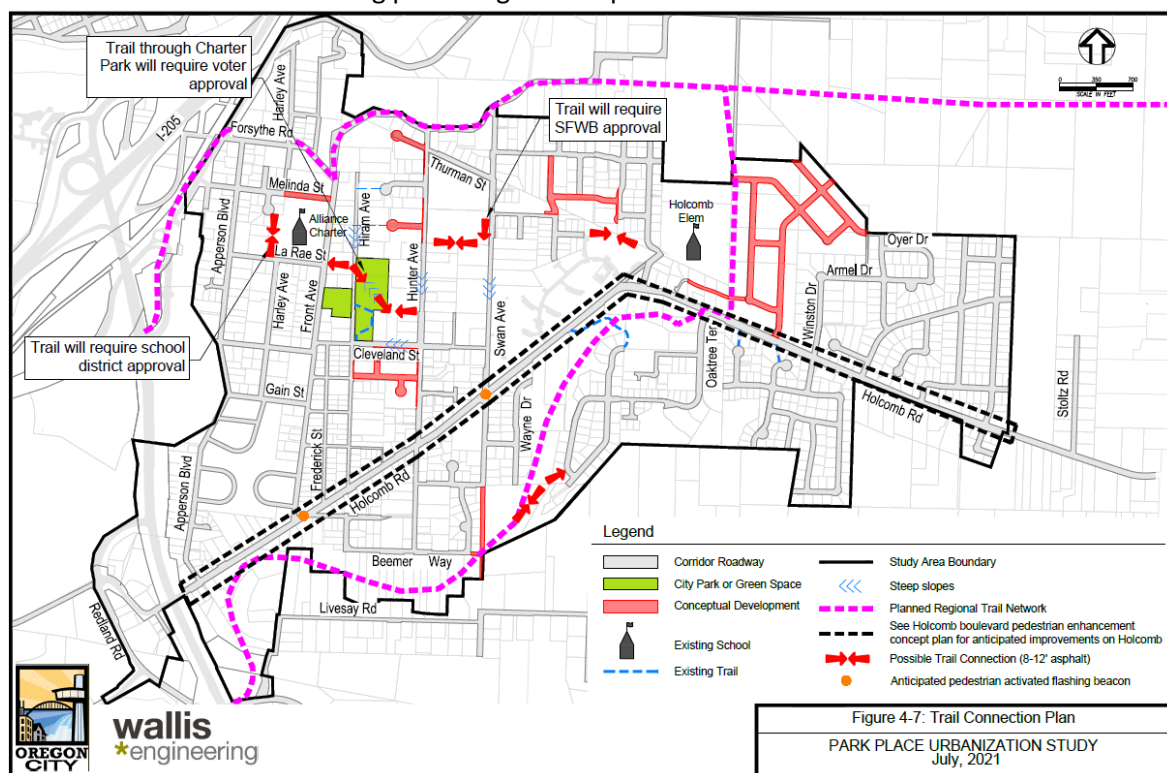
Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options.

Policy 12.6.3 Ensure the adequacy of travel mode options and travel routes (parallel systems) in areas of congestion.

Finding: Complies as Proposed. Swan Ave and Hunter Ave provide north-south connectivity through the neighborhood for motorists. However, there is no continuous east-west connection through the study area with the exception of Holcomb Blvd. Holcomb Blvd being an arterial roadway with high traffic volumes is a barrier to bicycle users due to the need to cross back and forth across Holcomb Blvd. Cleveland St has some east-west connectivity, but it terminates at Swan Ave on the east side and includes sections with steep elevation changes which make it less suitable for bicycle and pedestrian travel. The plan calls for development projects to be reviewed for opportunities to address East-West Connectivity within the study area.

Policy 12.6.4 Identify and prioritize improved connectivity throughout the city street system.

Finding: Complies as Proposed. The plan includes prioritization for sidewalk projects. Other improvements will be implemented as development occurs. The plan includes trail connectivity options for consideration. The following plan is a guide for possible trail routes to be considered:



Section 14 Urbanization

Finding: Goal 14 is not applicable as no change is proposed to the Metro Urban Growth Boundary.

Section 15 Willamette River Greenway

Finding: Goal 15 is not applicable as no changes are proposed to the *Comprehensive Plan Land-Use Map* or zoning map.

Statewide Planning Goals

STATEWIDE PLANNING GOAL 1: Citizen Involvement

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Finding: Complies as Proposed. Oregon City Public Works Department sought public input at several meetings including the Transportation Advisory Committee, Park Place Neighborhood Association, Development Stakeholder Group. Documentation produced with the corridor plan has been posted on the project website throughout the duration of the project and comments have been integrated into the final product. The Citizen Involvement Committee declined an offer to place the item on their agenda, stating that the previous meetings with the Park Place Neighborhood Association sufficed. The product will be reviewed through the Legislative approval process.

Postcards were mailed to all property owners within the Park Place Neighborhood Association to guide them to the project website and to take two surveys, during the development of the plan.

The draft final plan, which has been posted on the website since late July 2021, will be presented to the Transportation Advisory Committee on September 21 and to the Planning Commission on September 27th.

STATEWIDE PLANNING GOAL 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: Complies as Proposed. This goal is implemented through the applicable Goals and Policies in Section 2 of the Oregon City Comprehensive Plan: Land Use. Because the Plan is an ancillary document to the City's Comprehensive Plan, the application was processed pursuant to the legislative hearing process outlined in Section 17.50.170 of the Oregon City Municipal Code.

Goal 2 also provides that the public and "affected governmental units" be given the opportunity to review and comment on proposed amendments. In furthering that effort, the City has provided the various agencies and jurisdictions notice of the proposed amendment and requested comment and no response was received.

STATEWIDE PLANNING GOAL 3: Agricultural Lands and GOAL 4: Forest Lands

Finding: Not Applicable. By definition, Oregon City does not have rural resource lands such as for agricultural or forest use within its city limits or UGB, and therefore, those goals are not applicable.

STATEWIDE PLANNING GOAL 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: Complies as Proposed. This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies

pertaining thereto. Where a Natural Resource Overlay District is identified, the plan contains a narrower street design that balances safety and environmental protection.

STATEWIDE PLANNING GOAL 6: Air, Water And Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Finding: Complies as Proposed. The plan included an analysis of natural resources. Creating safe travel corridors for pedestrian and bikes will allow more people to avoid driving, which will better preserve and protect natural resources.

STATEWIDE PLANNING GOAL 7: Areas Subject to Natural Hazards

To protect life and property from natural disasters and hazards.

Finding: Complies as Proposed. When permits are sought for construction, any applicable land use review for Natural Resource Overlay District and Geologic Hazard Overlay District will be required.

STATEWIDE PLANNING GOAL 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: Not Applicable. Goal 8 is not applicable. The plan will increase access to parks but will not change park locations or plans.

STATEWIDE PLANNING GOAL 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: Not Applicable. Goal 9 is not applicable.

STATEWIDE PLANNING GOAL 10: Housing

To provide for the housing needs of citizens of the state.

Finding: Not Applicable. Goal 10 is not applicable.

STATEWIDE PLANNING GOAL 11: Urban Development

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: Complies as Proposed. This goal is implemented through the applicable Goals and Policies in Section 11 of the Oregon City Comprehensive Plan: Public Facilities. As stated in Section 11, the Code amendments are necessary to maintain compliance with Statewide Planning Goal 11, Public Facilities. Goal 11 requires that public facilities and services be provided in a timely, orderly, and efficient manner. The goal's central concept is that local governments should plan public services in accordance with the community's needs as a whole rather than be forced to respond to individual developments as they occur. The proposed municipal code amendments are created to serve the health, safety, education, welfare, and recreational needs of all Oregon City residents through the planning and provision of adequate public facilities.

STATEWIDE PLANNING GOAL 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

STATEWIDE PLANNING GOAL 13: Energy Conservation

To conserve energy.

Finding: Complies as Proposed. Creating safe travel corridors for pedestrian and bikes will allow more people to avoid driving, which will better conserve energy.

STATEWIDE PLANNING GOAL 14 Urbanization

Finding: Goal 14 is not applicable as no change is proposed to the Metro Urban Growth Boundary.

STATEWIDE PLANNING GOAL 15 Willamette River Greenway

Finding: Goal 15 is not applicable as no changes are proposed to the Comprehensive Plan Land-Use Map or zoning map.

Chapter 17.50 Administration and Procedures*17.50.050 – Pre-application conference.*

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

- 1. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*
- 2. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
- 3. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*

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

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

Finding: Staff held the required pre-application conference meeting (File LEG-21-00003), on July 22, 2021. The pre-application conference notes are attached to the application.

17.50.055 - Neighborhood association meeting.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development

and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

- A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.
- B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.
- C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.
- D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.
- E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.

Finding: Complies as proposed. Staff presented the Park Place Urbanization Plan to the Park Place Neighborhood Association on 1/18/2021 and 4/19/21. On 8/2/21, the chair of the Citizen Involvement Committee determined that a meeting of the CIC was not needed due to the previous public meetings that were held.

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

- C. Once the Community Development Director determines the application is complete enough to process, or the applicant refuses to submit any more information, the City shall declare the application complete. Pursuant to ORS 227.178, the City will reach a final decision on an application within one hundred twenty calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to suspend the one hundred twenty calendar day time line or unless State law provides otherwise. The one hundred twenty-day period, however, does not apply in the following situations:
 - 1. Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one hundred twenty-day period.
 - 2. Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one hundred twenty-day period for the amount of time required to correct the notice defect.

3. *The one hundred twenty-day period does not apply to any application for a permit that is not wholly within the City's authority and control.*
 4. *The one hundred twenty-day period does not apply to any application for an amendment to the City's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.*
- D. *A one-hundred day period applies in place of the one-hundred-twenty day period for affordable housing projects where:*
1. *The project includes five or more residential units, including assisted living facilities or group homes;*
 2. *At least 50% of the residential units will be sold or rented to households with incomes equal to or less than 60% of the median family income for Clackamas County or for the state, whichever is greater; and*
 3. *Development is subject to a covenant restricting the owner and successive owner from selling or renting any of the affordable units as housing that is not affordable for a period of 60 years from the date of the certificate of occupancy.*
- E. *The one hundred twenty-day period specified in OCMC 17.50.070.C or D may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed two hundred forty-five calendar days.*
- F. *The approval standards that control the City's review and decision on a complete application are those which were in effect on the date the application was first submitted.*

Finding: Legislative actions are not subject to the 120-day deadline.

III. RECOMMENDATION

Based on the findings in this report, staff recommends approval of file LEG-21-00003. If the Planning Commission recommends approval to the City Commission, staff will prepare an Ordinance for consideration by the City Commission to adopt the proposed plan.

IV. EXHIBITS

1. Application Materials
2. Draft Park Place Urbanization Plan
3. Public Comments
4. Transportation System Plan (On-file)



OREGON CITY

Planning Division and Public Works: Development Services

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Ph (503) 722-3789 | Fax (503) 722-3880

LEGISLATIVE APPLICATION

A preliminary analysis of the applicable approval criteria for a legislative proposal is enclosed within the following report.

HEARING DATE: September 27, 2021 - Planning Commission

FILE NUMBER: LEG-21-00003

APPLICATION TYPE: Legislative (OCMC 17.50.170)

APPLICANT: City of Oregon City, c/o Public Works Department, PO Box 3040, Oregon City, OR 97045
John Lewis, Public Works Director

REQUEST: Adoption of Park Place Urbanization Plan as part of the Transportation System Plan

LOCATION(S): Park Place Neighborhood

I. BACKGROUND:

File No. LEG-21-00003 updates the Oregon City Transportation System Plan (2013) by adopting the Park Place Urbanization Plan. The Oregon City Transportation System Plan is an ancillary document to the Oregon City Comprehensive Plan.

According to the 2004 Oregon City Comprehensive Plan (Introduction, "Implementing the Plan" Page 4): "Ancillary Plans are adopted by the City Commission for such things as parks and recreation, transportation systems, water facilities, and sewer facilities. Usually prepared by City departments through a public process, ancillary plans are approved by the City Planning Commission and adopted by the City Commission to provide operational guidance to city departments in planning for and carrying out city services. These plans are updated more frequently than the Comprehensive Plan."

The Park Place Urbanization Plan is a document that proposes street specific cross sections to various streets within the Park Place Neighborhood Association boundary which modifies typical cross sections within the Transportation System Plan to more fully align with the existing conditions with the existing road network and prioritizes certain roadways for sidewalks as private development occurs or funds becomes available.

The Park Place Neighborhood was annexed into the City 20+ years ago and consist of rural County style roads without many urban improvements such as curbs, sidewalks, and bike lanes. As private development has occurred, the existing road network has been improved as possible within the constraints of existing structures and environmental conditions. All new roads follow the cross sections found within the Transportation System Plan. This Urbanization Plan only focuses on the existing road network. The goal of the plan is to ensure future urbanization is consistent and is reasonable with respect to existing conditions (structure locations, environmental) and as close to Transportation System Plan cross sections while also balancing that with the desires of those living in the neighborhood.

The City sought a grant for the Plan in 2020 and presented the concept of the Plan to the Planning Commission on June 8, 2020, City Commission on June 15, 2020, Transportation Advisory Committee on June 16, 2020, and the Park Place Neighborhood Association on June 29, 2020.

The City was not successful in getting the grant; therefore, a consultant was hired with budgeted funds to complete the plan. The first public meeting occurred on January 18, 2021 with the Park Place Neighborhood Association. The last meeting held on the project was with the Project Management Team on July 13, 2021.

PROCESS

Adoption of the code amendments is a legislative action that requires review and recommendation from the Planning Commission prior to adoption by the City Commission following public hearings.

Public Involvement and Public Comment

The Park Place Urbanization Plan process provides opportunities for public involvement in the legislative decision making process through the public hearing process, newspaper noticing, meetings with the Transportation Advisory Committee, Park Place Neighborhood Association, affected agencies such as the School District and Clackamas Housing, and work sessions with the Planning Commission and City Commission.

The public involvement and public comment process included: placing project information on the City's website, (3) meetings with the Park Place Neighborhood Association, (2) meetings with the Transportation Advisory Committee, (3) meetings with the Planning Commission, (2) meeting with the City Commission, and e-mail to Oregon City School District and Clackamas Housing Authority. In addition, Oregon City convened a Park Place Urbanization Plan Project Management Team (PMT) which included: participants from two Oregon City departments (Public Works, Planning). The PMT met (6) times over the course of the project. In addition, TriMet, Oregon City Parks and Recreation, Police Department, Clackamas Fire District No. 1, and South Fork Water Board were all provided links to the Draft Urbanization Study to be able to provide comment.

The Park Place Urbanization Plan has been available for review on the Oregon City website at the following address: <https://www.orcity.org/publicworks/project/ps-20-027>.

The following dates occurred for the project :

- Planning Commission meeting to get support for grant to fund project : June 8, 2020
- City Commission meeting to get support for grant to fund project : June 15, 2020

- Transportation Advisory Committee meeting to get support for grant to fund project : June 16, 2020
- Park Place Neighborhood Association meeting to get support for grant to fund project : June 29, 2020
- Park Place Neighborhood Association – Overview : January 18, 2021
- PMT meeting #1 : January 27, 2021
- Survey #1 Postcard : January 22, 2021 – February 26, 2021
- Development Stakeholder’s Group – Overview : March 11, 2021
- PMT meeting #2 : March 12, 2021
- PMT meeting #3 : April 14, 2021
- Park Place Neighborhood Association – Results of Survey #1, Plan for Survey #2 : April 19, 2021
- PMT meeting #4 : April 29, 2021
- Survey #2 Postcard : May 10, 2021 – May 31, 2021
- PMT meeting #5 : June 3, 2021
- PMT meeting #6 : July 13, 2021
- July 19, 2021 : E-mail to Park Place Neighborhood Association Chair requesting desire for any further review
- July 22, 2021 : Pre-Application meeting for LEG 21-00002
- July 26, 2021 : E-mail to all Oregon City Public Works Managers and Engineering, Oregon City Police, Oregon City, Oregon City School District, Oregon City Parks and Recreation, South Fork Water Board, Clackamas Fire No. 1, and Clackamas Housing Authority requesting any comments
- July 27, 2021 : Draft Plan placed on project website
- July 28, 2021 : E-mail to Park Place Neighborhood Association and CIC Chairs requesting desire for any further review
- July 29, 2021 : E-mail to TriMet requesting any comments
- DLCD Notice : August 20, 2021
- City Commission Work Session : September 7, 2021
- Transportation Advisory Committee : September 21, 2021
- Planning Commission, Meeting #1 : September 27, 2021
- Planning Commission, possible Meeting #2 : October 25, 2021
- City Commission, possible Meeting #1 : November 3, 2021

The Legislative Process as it relates to the Oregon City Comprehensive Plan

The applicable approval criteria for a legislative action are the guidance provided in the Oregon City Comprehensive Plan, the applicable goals and policies of the Oregon City Comprehensive Plan, and any applicable statewide planning goals.

Section 2 – *Land Use* of the 2004 Oregon City Comprehensive Plan indicates that the regular review and updated of the Comprehensive Plan should consider the following:

1. Plan implementation process.
2. Adequacy of the Plan to guide land use actions, including an examination of trends.
3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.

4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

Oregon City Comprehensive Plan (P.16)

Regular Review and Update

Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider:

1. Plan implementation process;

The Park Place Urbanization Plan is a special purpose plan that is part of the City's Transportation System Plan, an adopted Ancillary Document to the Oregon City Comprehensive Plan. The TSP is both a technical document and a conceptual guide that requires regular review in order to maintain and update it. The applicant, Oregon City Public Works Department, has presented the update for input by the residents, affected agencies, property owners, the Transportation Technical Advisory Committee, Neighborhood Associations, Planning Commission and City Commission in accordance with the recommended method described in the Comprehensive Plan and pursuant to the applicable process described in Oregon City Municipal Code section 17.50.170. The plan implementation process is consistent with the Comprehensive Plan.

The City Commission will be initiating the code amendment process starting with a work session to be held on September 7, 2021.

Staff initially presented the concept of the Plan to the Planning Commission on June 8, 2020, City Commission on June 15, 2020, Transportation Advisory Committee on June 16, 2020, and the Park Place Neighborhood Association on June 29, 2020.

Staff anticipates presenting the final draft plan to the Planning Commission on September 27, 2021.

The first evidentiary public hearing for the proposed amendments will be held with the Planning Commission and will follow the notice procedures for a legislative action per OCMC 17.50. The City Commission public hearing will be scheduled once the Planning Commission has completed their review and provided a recommendation on the proposed amendments.

The Department of Land Conservation and Development was notified as required by ORS 197.610 – 197.625. The Staff Report will be made available at least seven days prior to the public hearing and the application was processed according to the Legislative Hearing Process as required under Oregon City Municipal Code 17.50.170. Implementation of the Plan is discussed further in Criterion 2.

2. Adequacy of the Plan to guide land use actions, including an examination of trends.

The Park Place Urbanization Plan provides an analysis of existing conditions and provides direction for future development, funding and needs. The plan provides a comprehensive review of the corridor system for all modes of transportation and provides an adequate guide for future land use actions and

the development of criteria to be utilized in land use actions. The plan includes construction cost estimates and contingencies for the planning and design of recommended system facilities for the corridor.

3. *Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.*

Staff presented the initial concept of the Park Place Urbanization Plan to the Planning Commission on June 8, 2020, City Commission on June 15, 2020, Transportation Advisory Committee on June 16, 2020, and the Park Place Neighborhood Association on June 29, 2020. It was presented with more detail on January 18, 2021 and April 19, 2021. The Plan was presented as a necessary planning document for addressing the need to accommodate access to key facilities by multiple modes (vehicles, pedestrian, bicycles, freight, transit and motorcycles), and to accommodate future growth in the Park Place Neighborhood. As part of this planning effort, the consultant conducted existing conditions analysis of the existing transportation system, a future needs assessment, and an analysis of alternatives within the planning area. The City completed an update in 2013 to the Transportation System Plan (TSP).

The Park Place Neighborhood Association expressed the following concerns with the current existing infrastructure:

- Adequate infrastructure (in particular, sidewalks) is not sufficient with the study area.
- There is a disconnect between the expectations in the community and the criteria that the city follows to build out infrastructure, and there is significant uncertainty about how to pay for infrastructure.
- There are inequalities in infrastructure, such as a lack of sidewalks in existing parts of the city, and new development cannot pay to correct all these deficiencies.
- Development is only required to pay for its direct impacts and its proportional share of off-site improvements, which may happen incrementally.
- County and other non-Oregon City vehicular traffic uses the capacity of the city's transportation system but does not pay for it.
- The city should not wait until infrastructure is failing to "fix" it.
- The Holcomb Boulevard Pedestrian Plan has not been fully implemented.

4. *Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.*

The Park Place Urbanization Plan provides provided factual information from a traffic crash history perspective within the study area. These statistics were used to prioritize projects within the study area.

In addition, as part of the extension corridor plan analysis, the consultant team conducted research of publically-available documentation and a reconnaissance level review of the environmental constraints in the corridor. Mapping of the site was intended to help designers understand where they could avoid and minimize impacts to natural resources.

Public Notice and Comments

This is a legislative action that requires public notice pursuant to OCMC 17.50.090.C. - *Notice of Public Hearing on a Legislative Proposal*. The Community Development Director will provide the required Post Acknowledgement Plan Amendment (PAPA) notice to the Oregon Department of Land Conservation and Development on August 20, 2021. Notice of the September 27, 2021 Planning Commission public

hearing will be provided to the Citizen Involvement Committee, Neighborhood Associations, and affected service districts, agencies and parties by email on April 20, 2021.

II. DECISION-MAKING CRITERIA

The remainder of this staff report provides additional findings to demonstrate that the proposed Park Place Urbanization Plan is consistent with applicable approval criteria.

Chapter 17.68 - Zoning Changes and Comprehensive Plan Amendments

17.68.010 - Initiation of the amendment.

A text amendment to the comprehensive plan, or an amendment to the zoning code or map or the Comprehensive Plan map, may be initiated by:

- A. A resolution request by the City Commission;*
- B. An official proposal by the Planning Commission;*
- C. An application to the Planning Division; or.*
- D. A Legislative request by the Planning Division.*

All requests for amendment or change in this title shall be referred to the Planning Commission.

Finding: The proposal qualifies as initiated as a legislative request by the initiation of a request by the Public Works Department and by Legislative Request by the Planning Division.

17.68.015 –Procedures.

Applications shall be reviewed pursuant to the procedures set forth in Chapter 17.50.

17.50.170 - Legislative hearing process.

A. Purpose. Legislative actions involve the adoption or amendment of the city's land use regulations, comprehensive plan, maps, inventories and other policy documents that affect the entire city or large portions of it. Legislative actions which affect land use shall begin with a public hearing before the planning commission.

B. Planning Commission Review.

1. Hearing Required. The planning commission shall hold at least one public hearing before recommending action on a legislative proposal. Any interested person may appear and provide written or oral testimony on the proposal at or prior to the hearing. The community development director shall notify the Oregon Department of Land Conservation and Development (DLCD) as required by the post-acknowledgment procedures of ORS 197.610 to 197.625, as applicable.

C. City Commission Review.

1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official

zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.

2. Notice of Final Decision. Not later than five days following the city commission final decision, the community development director shall mail notice of the decision to DLCD in accordance with ORS 197.615(2).

Finding: This legislative action followed the procedures found in OCMC 17.50.170 including meetings with the Park Place Neighborhood, Transportation Advisory Committee, Development Stakeholder Group, Planning Commission, and City Commission where applicable.

17.68.020 - Criteria.

The criteria for comprehensive plan amendment or text or map amendment in the zoning code are set forth as follows:

A. The proposal shall be consistent with the applicable goals and policies of the comprehensive plan;

Finding: This legislative action is consistent with the applicable goals and policies of the comprehensive plan as detailed in the responses below. Therefore, the proposed amendments are consistent with Criterion (A).

Oregon City Comprehensive Plan

According to the 2004 Oregon City Comprehensive Plan (Introduction, "Implementing the Plan" Page 4): "Ancillary Plans are adopted by the City Commission for such things as parks and recreation, transportation systems, water facilities, and sewer facilities. Usually prepared by City departments through a public process, ancillary plans are approved by the City Planning Commission and adopted by the City Commission to provide operational guidance to city departments in planning for and carrying out city services. These plans are updated more frequently than the Comprehensive Plan."

The Park Place Urbanization Plan is a special purpose plan which will be adopted as an ancillary document to the Transportation System Plan (TSP). The TSP is an adopted ancillary document to the Oregon City Comprehensive Plan. The TSP is both a technical document and a conceptual guide that requires regular review.

Conformity of the proposal with the city's comprehensive plan;

Section 1 Citizen Involvement

Goal 1.2 Community and Comprehensive Planning

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

Policy 1.2.1 - Encourage citizens to participate in appropriate government functions and land-use planning.

Goal 1.3 Community Education - Provide education for individuals, groups, and communities to ensure effective participation in decision-making processes that affect the livability of neighborhoods.

Goal 1.4 Community Involvement - Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation of policies.

Policy 1.4.1 - Notify citizens about community involvement opportunities when they occur.

Goal 1.5 Government/Community Relations -Provide a framework for facilitating open, two-way communication between City representatives and individuals, groups, and communities.

Finding: Complies as Proposed. Development of the plan included an extensive public involvement effort. Oregon City Public Works Department has presented the project to the public at several meetings including the Transportation Advisory Committee, Park Place Neighborhood Association, Development Stakeholder Group, Planning Commission and City Commission. Documentation produced with the corridor plan has been posted on the project website throughout the duration of the project and comments have been integrated into the final product. The product will be reviewed through the Legislative approval process.

The public involvement and public comment process included: placing project information on the City's website, (3) meetings with the Park Place Neighborhood Association, (2) meetings with the Transportation Advisory Committee, (3) meetings with the Planning Commission, (2) meeting with the City Commission, and e-mail to Oregon City School District and Clackamas Housing Authority. In addition, Oregon City convened a Park Place Urbanization Plan Project Management Team (PMT) which included: participants from two Oregon City departments (Public Works, Planning). The PMT met (6) times over the course of the project. In addition, TriMet, Oregon City Parks and Recreation, Police Department, Clackamas Fire District No. 1, and South Fork Water Board were all provided links to the Draft Urbanization Study to be able to provide comment.

Postcards were mailed to property owners within the Park Place Neighborhood Association to guide them to the project website and to take two surveys.

This application was noticed by mailings to all properties within 300 feet of the xxx and notice in the newspaper.

Comprehensive Plan Section 2 Land Use

Section 2: Land Use

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 principals of sustainable development

Policy 2.1.3 Encourage sub-area master planning for larger developments or parcels, including re-development, where it may be feasible to develop more mixed uses, or campus-style industrial parks, with shared parking and landscaping areas. Allow development to vary from prescriptive standards if planned and approved under this provision.

Policy 2.1.4 Use redevelopment programs such as urban renewal to help redevelop underutilized commercial and industrial land.

Goal 2.6 Industrial Land Development

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

Policy 2.6.7 Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.

Finding: Complies as Proposed. No change to land uses are proposed. The Plan aims to connect residents to all uses within the neighborhood and beyond.

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

Policy 2.4.2 Strive to establish facilities and land uses in every neighborhood that help give vibrancy, a sense of place, and a feeling of uniqueness; such as activity centers and points of interest.

Finding: Complies as Proposed. The Plan aims to connect residents to all uses within the neighborhood and beyond, and to provide connections between unique neighborhood amenities such as Park Place Park, Holcomb Elementary, a charter school, and the commercial uses along Holcomb Boulevard. The Plan will add to the vibrancy of the area by creating a safer environment for people to travel within their neighborhoods on foot and by bicycle when funds become available to build the infrastructure.

Policy 2.4.3 Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.

Finding: Complies as Proposed. The Plan aims to connect residents to all uses within the neighborhood and beyond, and to provide connections between unique neighborhood amenities such as Park Place Park, Holcomb Elementary, a charter school, and the commercial uses along Holcomb Boulevard. The Plan will add to the vibrancy of the area by creating a safer environment for people to travel within their neighborhoods on foot and by bicycle when funds become available to build the infrastructure.

Goal 2.7 Oregon City Comprehensive Plan Land-Use Map

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

Policy 2.7.2 Use the following 11 land-use classifications on the Oregon City Comprehensive Plan Land-Use Map to determine the zoning classifications that may be applied to parcels:

- Low Density Residential (LR)
- Medium Density Residential (MR)
- High Density Residential (HR)
- Mixed Use Downtown (MUD)
- Industrial (I)
- Public and Quasi-Public (QP)

- Commercial (C)
- Mixed Use Corridor (MUC)
- Mixed Use Employment (MUE)
- Parks (P)
- Future Urban Holding (FUH)

Finding: This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. The proposal will maintain the existing Oregon City Land Use Map as the official long range planning guide for land use development of the city by types, density and location (Goal 2.7).

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

Goal 5.1 – Open Space

Policy 5.1.1 *Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.*

Policy 5.1.2 *Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites should harmonize with natural surroundings.*

Finding: This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed (Goal 5.1).

Goal 5.2 Scenic Views and Scenic Sites

Policy 5.2.1 *Identify and protect significant views of local and distant features such as Mt. Hood, the Cascade Mountains, the Clackamas River Valley, the Willamette River, Willamette Falls, the Tualatin Mountains, Newell Creek Canyon, and the skyline of the city of Portland, as viewed from within the city.*

Policy 5.2.2 *Maximize the visual compatibility and minimize the visual distraction of new structures or development within important viewsheds by establishing standards for landscaping, placement, height, mass, color, and window reflectivity.*

Finding: This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed (Goal 5.1 and 5.2).

Goal 5.3 Historic Resources

Policy 5.3.3 *Promote the designation of qualifying properties outside Historic and Conservation Districts as historic.*

Policy 5.3.8 *Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.*

Finding: This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed (Goal 5.1 – 5.3).

Goal 5.4 Natural Resources

Policy 5.4.1 *Conserve and restore ecological structure, processes and functions within the city to closely approximate natural ecosystem structure, processes, and functions.*

Policy 5.4.5 *Ensure that riparian corridors along streams and rivers are conserved and restored to provide maximum ecological value to aquatic and terrestrial species. This could include an aggressive tree and vegetation planting program to stabilize slopes, reduce erosion, and mitigate against invasive species and stream impacts where appropriate.*

Policy 5.4.9 *Protect and enhance riparian corridors along streams in Oregon City to increase shade, reduce streambank erosion and intrusion of sediments, and provide habitat for a variety of plants, animals, and fish.*

Policy 5.4.12 *Use a watershed-scale assessment when reviewing and planning for the potential effects from development, whether private or public, on water quality and quantity entering streams.*

Policy 5.4.13 *Adopt and/or establish standards for all new development that promote the use of pervious surfaces and prevent negative ecological effects of urban stormwater runoff on streams, creeks and rivers.*

Policy 5.4.16 *Protect surfacewater quality by:*

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

Policy 5.4.18 *Encourage use of native and hardy plants such as trees, shrubs and groundcovers to maintain ecological function and reduce maintenance costs and chemical use.*

Finding: This proposal makes no changes to the existing inventories of open space, scenic and historic areas, and natural resources or the adopted maps, code and policies pertaining thereto. The proposal will assist in the identification, conservation and management of new resources that may be impacted when improvements are planned and constructed (Goal 5.4).

Section 6: Quality of Air, Water and Land Resources

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

Policy 6.1.2 *-Ensure that development practices comply with or exceed regional, state, and federal standards for air quality.*

Policy 6.3.3 Employ practices in City operations and facilities, including street lighting, which increases safety and reduces unnecessary glare, light trespass, and light pollution.

Finding: Complies as Proposed. The plan included an analysis of natural resources. Creating safe travel corridors for pedestrian and bikes will allow more people to avoid driving, which will better preserve and protect natural resources. When permits are sought for construction, any applicable land use review for Natural Resource Overlay District and Geologic Hazard Overlay District will be required.

Goal 7.1: Natural Hazards

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

Finding: Complies as Proposed. The plan included an analysis of natural resources. Creating safe travel corridors for pedestrian and bikes will allow more people to avoid driving, which will better preserve and protect natural resources. When permits are sought for construction, any applicable land use review for Natural Resource Overlay District and Geologic Hazard Overlay District will be required.

Goal 11: Public Facilities

Policy 11.1.1 *Ensure adequate public funding for the following public facilities and services, if feasible:*

Transportation infrastructure • Wastewater collection • Stormwater management • Police protection • Fire protection • Parks and recreation • Water distribution • Planning, zoning and subdivision regulation • Library services • Aquatic Center • Carnegie Center • Pioneer Community Center • City Hall • Buena Vista House • Ermatinger House

Policy 11.4.2 *Adopt “green streets” standards to reduce the amount of impervious surface and increase the use of bioswales for stormwater retention where practicable.*

Finding: Complies as Proposed. Goal 11 requires that public facilities and services be provided in a timely, orderly and efficient manner. The goal’s central concept is that local governments should plan public services in accordance with the community’s needs as a whole rather than be forced to respond to individual developments as they occur. The Park Place Urbanization Plan will provide a design for public facilities as well as a means to obtain future funding.

Policy 11.4.4 *Maintain existing drainageways in a natural state for maximum water quality, water resource preservation, and aesthetic benefits.*

Finding: Complies as Proposed. The plan included an analysis of natural resources. Creating safe travel corridors for pedestrian and bikes will allow more people to avoid driving, which will better preserve and protect natural resources. When permits are sought for construction, any applicable land use review for Natural Resource Overlay District and Geologic Hazard Overlay District will be required.

Goal 12: Transportation

Policy 12.1.1 *Maintain and enhance citywide transportation functionality by emphasizing multi-modal travel options for all types of land uses.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.1.2 *Continue to develop corridor plans for the major arterials in Oregon City, and provide for appropriate land uses in and adjacent to those corridors to optimize the land use-transportation connection.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.1.4 *Provide walkable neighborhoods. They are desirable places to live, work, learn and play, and therefore a key component of smart growth.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.3.1 *Provide an interconnected and accessible street system that minimizes vehicle-miles-traveled and inappropriate neighborhood cut-through traffic.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.3.2 *Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.3.3 *Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.3.4 *Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.6.1 *Provide a transportation system that serves existing and projected travel demand.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.6.2 *Identify transportation system improvements that mitigate existing and projected areas of congestion.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.6.3 *Ensure the adequacy of travel mode options and travel routes (parallel systems) in areas of congestion.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Policy 12.6.4 *Identify and prioritize improved connectivity throughout the city street system.*

Finding: Complies as Proposed. Implementation of the plan will result in a more complete transportation system with a variety of multi-modal travel options. The plan will create a more walkable environment within the Park Place Neighborhood through the addition of sidewalks and bike lanes.

Section 14 Urbanization

Goal 14.3 Orderly Provision of Services to Growth Areas

Plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan.

Policy 14.3.1

Maximize new public facilities and services by encouraging new development within the Urban Growth Boundary at maximum densities allowed by the Comprehensive Plan.

Policy 14.3.2

Ensure that the extension of new services does not diminish the delivery of those same services to existing areas and residents in the city.

Policy 14.3.3

Oppose the formation of new urban services districts and oppose the formation of new utility districts that may conflict with efficient delivery of city utilities within the Urban Growth Boundary.

Policy 14.3.4

Ensure the cost of providing new public services and improvements to existing public services resulting from new development are borne by the entity responsible for the new development to the maximum extent allowed under state law for Systems Development Charges.

Finding: This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. The proposed Park Place Urbanization Plan may assist in assuring the orderly provision of services to growth areas (Goal 14.3).

Goal 14.5 Urbanization

Policy 14.5.2

Coordinate public facilities, services and land-use planning through intergovernmental agreements with the school district, Clackamas Community College, Clackamas County Fire District #1, Tri-Cities Services District and other public entities as appropriate.

Finding: This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. The proposed Park Place Urbanization Plan may assist in assuring the orderly provision of services to growth areas (Goal 14.3).

Statewide Planning Goals

Finding: This proposal makes no changes to the Comprehensive Plan, zoning, or land use designations for lands within the Urban Growth Boundary. Since the City's Comprehensive Plan and its ancillary documents are already acknowledged by the Oregon Department of Land Use and Conservation (DLCD), no further analysis for consistency with Statewide Planning Goals is required.

Chapter 17.50 Administration and Procedures

17.50.050 – Pre-application conference.

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

1. *To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.*
2. *At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.*
3. *The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.*

- B. *A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.*
- C. *Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.*

Finding: Staff held the required pre-application conference meeting (File LEG-21-00003), on July 22, 2021. The pre-application conference notes are attached to the application.

17.50.055 - Neighborhood association meeting.

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

- A. *Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*
- B. *The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.*
- C. *A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.*
- D. *If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.*
- E. *To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.*

Finding: Staff presented the Park Place Urbanization Plan to the Park Place Neighborhood Association on 1/18/2021 and 4/19/21. On 8/2/21, the chair of the Citizen Involvement Committee determined that a meeting of the CIC was not needed due to the previous public meetings that were held.

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

- C. *Once the Community Development Director determines the application is complete enough to process, or the applicant refuses to submit any more information, the City shall declare the application complete. Pursuant to ORS 227.178, the City will reach a final decision on an application within one hundred twenty calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to suspend the one hundred twenty calendar day time line or unless State law provides otherwise. The one hundred twenty-day period, however, does not apply in the following situations:*
- 1. Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one hundred twenty-day period.*
 - 2. Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one hundred twenty-day period for the amount of time required to correct the notice defect.*
 - 3. The one hundred twenty-day period does not apply to any application for a permit that is not wholly within the City's authority and control.*
 - 4. The one hundred twenty-day period does not apply to any application for an amendment to the City's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.*
- D. *A one-hundred day period applies in place of the one-hundred-twenty day period for affordable housing projects where:*
- 1. The project includes five or more residential units, including assisted living facilities or group homes;*
 - 2. At least 50% of the residential units will be sold or rented to households with incomes equal to or less than 60% of the median family income for Clackamas County or for the state, whichever is greater; and*
 - 3. Development is subject to a covenant restricting the owner and successive owner from selling or renting any of the affordable units as housing that is not affordable for a period of 60 years from the date of the certificate of occupancy.*
- E. *The one hundred twenty-day period specified in OCMC 17.50.070.C or D may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed two hundred forty-five calendar days.*
- F. *The approval standards that control the City's review and decision on a complete application are those which were in effect on the date the application was first submitted.*

Finding: Legislative actions are not subject to the 120-day deadline.

III. RECOMMENDATION

Based on the findings in this report, staff recommends approval of file LEG-21-00003. If the Planning Commission recommends approval to the City Commission, staff will prepare an Ordinance for consideration by the City Commission to adopt the proposed plan.



LAND USE APPLICATION TRANSMITTAL – RESPONSE FORM

Date: 9/15/21

Land Use Application File Number: LEG-21-00003

NAME: Mike Roberts

AGENCY: City of Oregon City Building Division

EMAIL ADDRESS: mroberts@orccity.org

The land use application material is referred to you for your information, study and official comments. 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 a copy of this form to facilitate the processing of this application and to ensure prompt consideration of your recommendations.

Please check the appropriate spaces below.

X

The proposal does not conflict with our interests.

The proposal conflicts with our interests for the reasons attached. (Please attach additional information)

The proposal would not conflict our interests if the changes noted below or attached are addressed.

Please add any specific comments below or attach a separate document with more information.

CONTACT THE PLANNING DIVISION IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION

September 27, 2021

RE: LEG-21-00003: Adoption of Park Place Urbanization Study, an amendment to the Transportation System Plan

Survey answers re: Future Sidewalk plans for Swan Avenue/Cleveland Street. (These are considered part of Phase 1 as a priority location.)

Current property on corner of Swan Ave and Cleveland Streets: 16251 Swan Avenue; Oregon City, OR 97045.

Owner(s): Della M Riggs and John L Riggs Jr (deceased); Daughter/POA Geneava Riggs Butterfield

Dear Commissioner:

Per the Urbanization Study, this corner lot property is planned to have sidewalks on two sides of the property: along Swan Avenue and Cleveland Streets.

This lot (with a house and a detached three car garage) has a 15-20 foot set back from Swan Avenue. With this same setback on Cleveland Street, this address and that of the Ray Laster's (our neighbor on Cleveland St) will have sidewalks right up to the houses.

There is an additional back lot (with a metal barn) along the creek on Cleveland Street. The creek is at the bottom of the roadway, and halfway down on our section of Cleveland Street.

Very few people walk on this part of Cleveland Street because it has a downhill, then uphill slope. It is not really safe for amateur bicyclists either. There is a creek at the bottom with a large concrete pipe under the roadway and through the culvert, and the roadway narrows at this bottom of the hill. It's not a wide roadway, and at that part, doesn't seem like a very feasible undertaking at this point.

On the other hand, the Oregon City View Manor housing project was built with approximately 100 homes. My parents and others in the neighborhood were told the housing project was going to put in street side sidewalks on their side of Swan Ave 55 YEARS AGO. They haven't been built yet and are way overdue. This side of Swan has more potential foot traffic, and is a better candidate for sidewalks at this time.

When the house was built in 1964: the plans for the house were to have the house built on the back part of the property, away from the streets, for privacy. The County decided that 1) future sewer and electric lines would not allow the house in the planned area, and 2) that piece of land is part of the Barlow Road and couldn't be built on historic property. (How the wagons hop skipped along Forsythe and Holcomb to only a few places along the actual Barlow Road have never been explained to us.) The County changed the lot plans and had the house foundation put up on the corner next to the streets. A complete flip of the blueprint. When my parents tried to sue the Contractor (also because the house was

built on top of an underground spring, which caused the basement to flood for several years), they found out he declared bankruptcy.

Our personal Concerns:

1. Owner Della Riggs is unable to walk well. There are three stairs on her front porch. She has problems using them. When checking on getting a temporary ramp for her (she is 82 years old), we were told by the salesperson we would need to contact Planning for a permit. When we contacted Planning (three times), we were told that 1) if we put in a ramp for her, she would be required to put in sidewalks. The sidewalk on Swan Ave would go directly up to her porch and extend nearly halfway down the block...for a temporary ramp. Also, there would be no room allowance for a ramp due to the setback. There might be ADA allowances for this, and 2) and with sidewalks going up to her porch (facing Swan Ave) and side wall (facing Cleveland St), she/we will lose all privacy.
2. On Cleveland Street: the only driveway access to her backyard (and the detached garage) is via a driveway on the Barn property. If she sells the barn property, in order to pay for the sidewalks that, per Planning, she is expected to pay for, she is not allowed to put in a driveway to her detached garage, because the sidewalks "won't allow it". So ANY changes she makes to property: a ramp to get in/out of her house safely, or adding a driveway for accessibility for her own structures that Planning permitted years ago won't be allowed now.
3. Also, there are at least four large and mature trees (three are co-owned with the City) within the path of the future sidewalk. She is supposed to tear these 70+ years old trees down.

We understand and accept "progress", but ask for more time for us to work with the City Planning and Public Works departments to determine the best way to handle these valid concerns. We are hoping there is a Grandfather clause of some sort, especially since this address is dealing with issues created by the COUNTY so many years ago. We do not believe this corner of Swan and Cleveland, and the portion of Cleveland Street down near the creek should be considered part of the Phase 1 process.

Thank you for your time and consideration.

Geneava Riggs Butterfield (Daughter/POA for Della Riggs)

16251 Swan Ave, Oregon City OR 97045 (503-724-8601/503-557-8557)

Oregon City Planning Commission
Meeting of September 27th, 2021

RE: Testimony of Christine Kosinski, Unincorporated Clackamas County

Agenda Item 1 – LEG 21-00003 Adoption of Park Place Urbanization Study, an Amendment to the Transportation System Plan

To be honest, there are many reasons why the Adoption of the Park Place Urbanization Study should not be approved. My reasons are many and listed below,

Public Engagement Process and Public Outreach – have been inadequate as NO, not all citizens that will be affected by the Park Place Concept Plan were invited to attend. I find it appalling that the City continues to ignore the hundreds of homeowners on Holly Ln as these will be the people dramatically affected by this development, and I will say also, the homeowners living on Trailview Dr. where you have planned to develop the Holly Ln Extension, totally against the will of the people. I wonder if DLCD would be interested in knowing the total impacts to these people which the City continues to keep “in the dark” and have not been forthcoming in telling these homeowners the whole truth.

Does the City plan to “spring” this on the homeowners at a time when all their concerns and/or choices are gone? Let me tell you, this development is going to have life altering affects upon everyone living on Holly Ln, as well as the homeowners living on Trailview Dr. where you have planned to build the Holly Ln. extension. This roadway will be very close to these homes. Please read the Internet on “Health Affects for people living on roads where they will be faced with much harm from the many pollutants spilling from cars driving their road every day, 24/7. There is NO shortage of articles bringing attention to these health concerns, such as, Cancer, Asthma, Impaired Lung Function, Premature Death, Cardiovascular Diseases, COPD, Diabetes, Poisoning, Heart Disease, Birth Defects, eye disease, Parkinson's and Multiple Sclerosis disease, just to mention a few. For homeowners living within 100 to 500 meters from the road, this is especially disastrous, and this is their future, this is what the City and developer are giving the homeowners on Holly Ln and Trailview Dr., a lifetime of illness.

According to the EPA, motor vehicles cause 75% of the Carbon Monoxide pollution in the U.S. Consider the typical passenger vehicle emits about 4.6 metric tons of carbon dioxide per year. If you want to figure this per mile, the typical vehicle emits about 404 grams of CO₂ per mile. Air pollution is one of the world's leading risk factors for deaths, with air pollution attributing about 9% of deaths globally, and it also is one of the leading risk factors for disease burden,.

So yes, I am very concerned when I read statistics like these. First of all, the people of Holly Ln are very much against what this development will do to them, their children and families. Read the diseases above that the Park Place Concept Plan will give to them. Do you call this Fair? And how can the City go to DLCD and say they Comply with our Statewide Land Use Goals? This is about as far as non-compliance gets.

Now, I would like to address further issues for both Holly Ln and the homeowners presently living on Trailview Dr. who will have the Holly Ln extension in their backyards. These homeowners will suffer the same health issues, breathing pollution 24/7 takes a toll on our bodies. Now add to this the City and developer propose even more homes than anticipated in the original Concept Plan in 2007, they want to add 300 more homes which counts for the addition of 3000 more trips per day! In the Kittleson and Associates traffic report of May 21, 2007, at that time they already cite the Park Place Concept Plan is expected to generate approximately 22,990 NEW weekday daily trips. This is terrible, exactly how many trips per day does the City now, currently, plan to choke down Holly Ln?

I'm not finished yet, all homeowners living within one mile of Oak Tree Terrace will not be able to get Landslide Insurance, and NONE of the homeowners on Holly Ln, nor in Park Place, will be able to get coverage either. This is because Landslide Insurance doesn't exist any longer since the floods of 1996.

Now I ask you to read about Landslides in the current 2004 edition of your Comprehensive Plan. Note that the Comprehensive Plan speaks to the problem of "heavy traffic" and how it can re-activate landslides. Both the landslide on Oak Tree Terrace as well as the many slides lining Holly Ln, sit in a landslide area with High Susceptibility to re-activate. The Park Place Concept Plan is putting a huge burden on the people of Holly Ln as well as the homeowners living on Trailview Dr. We're all going to lose a plethora of sleep, we can't get any insurance coverage for landslides and now we all can look forward to a much shorter lifespan and it's all because the government and developer are more interested in making money than they are interested in caring for the people.

If the City somehow continues to approve this dense development in a landslide area, this means that the homeowners on Holly Ln as well as the homeowners on Trailview Dr (where the Holly Ln extension will come up alongside their homes and connect to Jada), these homeowners will have to monitor their homes and surrounding property for landslide activity since this heavy traffic will vibrate these homes 24/7. They will have to monitor for newly cracked pavement, foundation, support walls and sidewalks, tilted or cracked chimney's, check for doors and windows that stick or jam, watch for outside walls, walkways or stairs that start pulling away from the house, watch for soil that moves away from the foundation. They will have to check plumbing and gas lines for leaks, cracks in the ground, tilted trees, springs or saturated soil in areas typically dry. If any of these occur, they will have to be reported to the City for mitigation. This places a huge amount of pressure and legal issues upon the homeowner, the developer, and the City, and should I mention the huge costs to repair landslides and/or pay for homes that are crumbling away due to heavy vibrations from huge traffic. Let's face it, the City TSP has more than 100 roads aimed right at Holly Ln so motorists can get down the hill to reach the I-205, a very diabolical plan for a City that failed the people when it did not build the grade separated intersection at Hwy 213 and Beavercreek roads, when funds were easily available. Traffic belongs on the Major Arterials, not down residential streets where the people are so heavily affected.

Funding is a catastrophic problem for the City in trying to develop the Park Place Concept Plan, and it will remain so for years to come as our world grapples with the many losses caused by the Covid pandemic, and as well, our Federal Government will have no money to lend for quite some time. If the City does not have the funding, this project needs to stay on the shelf. This will give the City time to develop a much better transportation system than the one currently in place that simply will never work as it is patchwork, piecemeal and poorly planned. I also noted that the City shows a map, on Pg. 21 of the Park Place Urbanization Study, where a multitude of projects in the TSP need improvement, but are not likely to be funded. Again, no money to develop correctly. This is no way to develop.

I would like to briefly touch on the plans for the Swan Rd extension, the Holly Ln extension, the wetlands where the City plans to bring Swan Rd up parallel to Holly and connect Swan to Morton Rd. This will never happen, not enough money to bring Swan down to Redland Rd due to the tremendous landslides below, a bridge is needed and never enough money will be available. DOGAMI has stated in the past, that building over wetlands is much more difficult than building over a landslide. Lastly, you need to read the “Thesis” from Bill Burns of DOGAMI, where he speaks to the many difficulties caused by the Morton Rd-Hwy 213 Landslide, cautioning about any future development.

Here are Goals the City cites in their urbanization study, stating they Comply, but they don't because,

Goal 2.4, City does not comply as livability at it's poorest, in fact, there is none.

Goal 6.1.4 City does not comply as Air Quality actually continues to fail. Within the boundaries of the plan, literally hundreds and hundreds of trees have previously been cut down. Trees give us life, in one year a mature tree will absorb more than 48 lbs. of Carbon Dioxide and will release Oxygen in exchange. The many trees cut down in the Park Place area, have now created Heat Islands.

Goal 7.1, City does NOT comply, it is NOT protecting people & their property in hazardous areas.

Goal 1, City does NOT comply, very poor outreach to the people. Goal 1 requires that jurisdictions apply “appropriate safeguards” when planning for development there. In fact there are NO safeguards for the people, rather the people are being put into harm's way.

Goal 12, City fails to develop a safe TSP-Goal 12.5, City fails TSP improvements-Goal 12.6.2, City fails to ensure travel in congested areas, in fact, the opposite is happening, congestion getting worse.

The City does not comply with it's own “Oregon City Natural Hazards Mitigation Plan”, and fails almost all requirements. One example is found on Page OC-46, under the heading **Ideas for Implementation**, “Use the Mitigation plan to help the City's Comprehensive Land Use Plan meet State Land Use Planning Goal 7, designed to protect life and property from natural disasters and hazards through planning strategies that restrict development in areas of known hazards.” This is not happening, and why?

The City does not comply with the DLCD-DOGAMI Landslide Hazards guidelines. One example can be found on Pg. 41 (B) Goal 7 – Areas subject to Natural Hazards. “Section A **REQUIRES** local governments to adopt comprehensive plans and implementation measures for reducing risk to people and property from a minimum (landslides, earthquakes and related hazards.” Throughout this 146 pg. Document, you will read over and over, “to avoid development in hazard areas where risk cannot be mitigated”, and that development cannot put people & their property in harm's way. In fact, they go on say “local jurisdictions must analyze the trade-offs inherent in working to reduce and minimize potential damage to life, property, and the environment which may result in locating development in or away from hazards area.”

The **safety of the people should never be compromised**, however as I have read over the Park Place Urbanization Study”, there are red flags everywhere. The people, especially on Holly Ln and Trailview Dr, are being seriously compromised, this plan should not go forward. Perhaps DLCD and FEMA should hear the people on this proposed development that will gridlock our streets forever and bring much harm to the homeowners, children, and families that live on Holly Ln and in the Park Place area. I think they should be invited to a meeting!



CITY OF OREGON CITY

Staff Report

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

To: City Commission
From: Jakob Wiley, Assistant City Recorder

Agenda Date: 12/15/2021

SUBJECT:

Resolution 21-58, Recognizing the Renaming of Barclay Hills Neighborhood Association to Elyville Neighborhood Association

STAFF RECOMMENDATION:

Staff recommends approving Resolution 21-58, which will officially recognize the renaming of Barclay Hills Neighborhood Association to the Elyville Neighborhood Association.

EXECUTIVE SUMMARY:

The former Barclay Hills Neighborhood Association requests the City of Oregon City officially recognize the change of the association's name to "Elyville Neighborhood Association."

BACKGROUND:

The City of Oregon City ("City") recognized the Barclay Hills Neighborhood Association on February 19, 1997 using Resolution 97-05. That resolution also incorporated and agreement with the neighborhood association.

Recently, the neighborhood association has discussed the history of the neighborhood, the various historical figures and locations in the neighborhood, and did not find that the name "Barclay Hills" was the preferred name for the area.

On November 9, 2021, the neighborhood association voted to change its name to Elyville Neighborhood Association. On December 2, 2021 the neighborhood association officially requested that the City recognize the association as the "Elyville Neighborhood Association" and the neighborhood as the "Elyville Neighborhood."

The name change does not alter the City's relationship with the neighborhood association. The changes to the name will be included with all subsequent resolutions, ordinances, policies, and other materials after adoption. This change will not

retroactively alter existing codes, resolutions, or policies, which will be updated along with other changes as they occur.

OPTIONS:

1. Approve Resolution 21-58
2. Approve Resolution 21-58 with specific changes
3. Deny Resolution 21-58 and provide staff with direction

RESOLUTION NO. 21-58

A RESOLUTION 21-58 RECOGNIZING THE RENAMING OF BARCLAY HILLS NEIGHBORHOOD ASSOCIATION TO THE ELYVILLE NEIGHBORHOOD ASSOCIATION

WHEREAS, The City of Oregon City ("City") recognized the Barclay Hills Neighborhood Association under Resolution 97-05 on February 19, 1997 and entered into an agreement the same neighborhood association outlining the criteria for recognition, operation, and coordination, attached as Exhibit A to this resolution; and

WHEREAS, The Barclay Hills Neighborhood Association voted at their November 9, 2021 meeting to change the name of the association to the "Elyville Neighborhood Association," and draft minutes of this meeting are attached as Exhibit B to this resolution; and

WHEREAS, The neighborhood association requested the City recognize the new name in letter dated December 2, 2021, attached as Exhibit C to this resolution.

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The City officially recognizes the Elyville Neighborhood Association as the new name for the former Barclay Hills Neighborhood Association.

Section 2. The Elyville Neighborhood Association shall maintain the same rights, responsibilities, and relationship with the City as the former Barclay Hills Neighborhood Association.

Section 3. The City Commission directs staff to utilize the name "Elyville Neighborhood Association" in place of "Barclay Hills Neighborhood Association" in all future revisions and updates to City policy, resolutions, ordinances, and other materials.

Section 4. The City Commission directs staff to utilize the name "Elyville Neighborhood" in place of "Barclay Hills Neighborhood" in all future updates and references to City-produced materials referring to the geographic location currently designated as the Barclay Hills Neighborhood.

Section 5. This resolution shall take effect immediately upon its adoption by the City Commission.

Approved and adopted at a regular meeting of the City Commission held on the 15th day of December 2021.

RACHEL LYLES SMITH, Mayor

Attested to this 15th day of December 2021:

Approved as to legal sufficiency:

Jakob Wiley, Assistant City Recorder

City Attorney

RESOLUTION NO. 97-05

A RESOLUTION PROVIDING FOR FORMAL RECOGNITION OF THE BARCLAY HILLS NEIGHBORHOOD ASSOCIATION AND APPROVING AN AGREEMENT PROVIDING CRITERIA FOR THE NEIGHBORHOOD ASSOCIATION'S FORMATION, OPERATION AND CONTINUATION, THEREBY FOSTERING A PARTNERSHIP OF OPEN COMMUNICATION BETWEEN THE CITY AND THE NEIGHBORHOOD ASSOCIATION

WHEREAS, the City Commission understands the great importance of citizen participation and recognizes that it is necessary and desirable to maintain and improve the quality of life for all Oregon City residents; and

WHEREAS, the City Commission desires to instill and enhance a sense of civic pride and responsibility for the community; and

WHEREAS, the City Commission recognizes that participation of the greatest number of citizens with a wide diversity of viewpoints leads to better understanding of mutual concerns; and

WHEREAS, it is essential for citizens to provide information to aid the City Commission in decisions on matters affecting the City's quality of life, including, land use, housing, the annual City budget, community facilities and infrastructure, human resources, social and recreational programs, traffic and transportation, environmental quality, public safety and other matters; and

WHEREAS, the diversity of views and suggestions will also result in a better understanding and acceptance of those decisions by the citizens of Oregon City; and

WHEREAS, the City Commission desires to enhance the livability by giving citizens the opportunity to participate in government decisions in an advisory role; and

WHEREAS, the Comprehensive Plan states, that neighborhood associations shall be established in the neighborhood planning areas defined in the plan; and

WHEREAS, the City Commission in order to provide more effective citizen participation requires the development of certain minimum standards that outline the principles, functions and organization of neighborhood associations when providing formal recognition by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Oregon City, Oregon that the

BARCLAY HILLS NEIGHBORHOOD ASSOCIATION a part of the Ely Neighborhood Planning Area is hereby recognized as an official Neighborhood Association of the City of Oregon City, Oregon, subject to compliance with the Oregon City/Barclay Hills Neighborhood Association Agreement attached hereto as Exhibit A and made a part hereof.

Adopted, signed and approved this 19th day of February, 1997.

/s/Daniel W. Fowler
Mayor

/s/Jack Lynch
Commissioner

/s/Douglas Neeley
Commissioner

/s/Edward Allick
Commissioner

/s/Timothy J. Powell
Commissioner

Comprising the City Commission
of Oregon City, Oregon

It was moved by Powell, second by Allick, to adopt Resolutions No. 97-06 and 97-05.

Roll call: Neeley, Aye; Allick, Aye; Lynch, Aye; Powell, Aye; Fowler, Aye.

Plaques of each resolution were presented to representatives from the Associations.

OREGON CITY - BARCLAY HILLS NEIGHBORHOOD ASSOCIATION AGREEMENT

AN AGREEMENT PROVIDING FOR FORMAL RECOGNITION OF THE BARCLAY HILLS NEIGHBORHOOD ASSOCIATION AND PROVIDING CRITERIA FOR THE NEIGHBORHOOD ASSOCIATION'S FORMATION, OPERATION AND CONTINUATION, THEREBY FOSTERING A PARTNERSHIP OF OPEN COMMUNICATION BETWEEN THE CITY AND NEIGHBORHOOD ASSOCIATION.

Section 1: Purpose. The purpose of this agreement is for the City of Oregon City to formally recognize the Barclay Hills Neighborhood Association and to provide certain criteria for the formation, operation and continuation of the Barclay Hills Neighborhood Association. It is through this agreement that the City hopes to insure a maximum of opportunity for involvement by the residents of the Barclay Hills Neighborhood Association in the processes of government as well as other activities concerning neighborhood and community livability.

Although a major function of neighborhood associations is to augment the citizen involvement process in land use related matters, such as planning and zoning activities, as is required by applicable law, it is the intent of the City Commission to provide the basis for a wide range of activities which promote the general health and welfare of the community and a spirit of harmony and pride for all citizens of Oregon City.

Nothing in this agreement will limit the right of any person, group of persons or organization from exercising their lawful rights. Membership in the Barclay Hills Neighborhood Association confers no extraordinary rights, standing or legal capacity solely on the basis of membership, nor is the association itself given any special status by this agreement which is intended to influence a court of law as to its capacity to commence litigation. Nor is it the intent of the City to delegate any portion of its authority to the Barclay Hills Neighborhood Association.

Section 2. Principles and Functions.

a. The Barclay Hills Neighborhood Association shall serve as the primary means of communication between the city and the neighborhood residents, provide a forum for exchange of concerns and ideas, promote and facilitate open communication; and

b. The Barclay Hills Neighborhood Association shall strive to keep neighborhood residents informed about all aspects of government by serving as an information resource to the members of the neighborhood association by conducting studies, sponsoring informational meetings and conducting public forums and educational programs; and

c. The Barclay Hills Neighborhood Association shall participate in the development of long range comprehensive plans by reviewing, providing input and making recommendations concerning particular actions, policies, plans, programs, projects and other matters occurring citywide, including the City's annual budget, all of which may affect the quality of life within the neighborhood.

d. The Barclay Hills Neighborhood Association shall communicate that input to various offices, departments, commissions, boards, committees and the City Commission; and

e. The Barclay Hills Neighborhood Association shall work for physical and social improvement of the character of the neighborhood, including issues affecting area livability; and

f. The Barclay Hills Neighborhood Association shall work for adoption of improved city ordinances which will benefit the neighborhood and the City; and

g. The Barclay Hills Neighborhood Association shall serve as a voice for the neighborhood residents by presenting views and testimony before public bodies such as the City Commission on issues and concerns having both neighborhood and citywide impacts; and

h. The Barclay Hills Neighborhood Association shall promote continuous and effective citizen involvement in governmental processes, thereby insuring maximum contribution to those persons or agencies which are required to make decisions affecting a neighborhood or the community; and

i. The Barclay Hills Neighborhood Association shall provide better channels of communication and flows of accurate and timely information between the government of the City and its citizens; and

j. The Barclay Hills Neighborhood Association shall promote neighborhood and City identity and community spirit; and

k. The Barclay Hills Neighborhood Association shall assist the neighborhood residents to engage in their choice of neighborhood activities to promote such things as neighborliness, safety, cultural opportunities and the general livability of the community.

Section 3. Criteria for Formal Recognition of the Barclay Hills Neighborhood Association. The City Commission hereby establishes the criteria whereby it formally recognizes The Barclay Hills Neighborhood Association within the corporate limits of the City of Oregon City. The City Commission encourages and endorses the formation, operation and continuation of this neighborhood association, pursuant to the criteria set forth below, to provide maximum citizen involvement in the community.

The Barclay Hills Neighborhood Association certifies that it meets the aforesaid criteria, and, as a condition of continued recognition by the City, agrees to continue to meet such criteria on an

ongoing basis. The Barclay Hills Neighborhood Association further agrees that the City Commission may amend or alter such criteria as it deems necessary to meet the changing needs of the City's planning program.

A neighborhood association which seeks formal recognition by the City of Oregon City Commission shall meet and continue to maintain conformity with the following minimum criteria for formal recognition:

A. Membership.

1. Any resident, property owner, business licensee or representative of a nonprofit organization, or any others who show cause for interest in the boundary of a neighborhood shall be entitled to membership;

2. Any member who is at least (18) years of age shall have one vote on any matter to be decided by the association;

3. Membership or participation shall not be conditioned in any way upon the requirement of the payment of dues or fees. However, an association may accumulate sources of income to carry out its purposes through other means, including voluntary contributions, projects, grants, and contracts; and

B. Neighborhood Association Boundaries

In order to implement the City Commission's stated purpose of ensuring maximum opportunity for citizen involvement the City Commission adopts a map containing the boundaries for the Barclay Hills Neighborhood Association. The City Commission shall make the final determination of the Barclay Hills Neighborhood Association boundaries in accordance with as many of the following criteria that may be applicable under the following circumstances:

1. Boundaries should be contiguous and mutually exclusive to those of other formally recognized neighborhood associations;

2. Boundaries should follow readily identifiable physical features, such as property lines, major arterial or collector streets, or be set at some other clearly defined and relatively permanent natural or man made features; and

3. Boundaries describing the territory should be logical and the City Commission may consider other features such as:

- (a) a community of interest, common identity and social communication,
- (b) existing commercial patterns,
- (c) existing boundaries of other agencies, such as a school district boundary,
- (d) the views and desires of citizens seeking association recognition.
- (e) such boundaries may be amended after being proposed by the

Neighborhood Association and reviewed and approved by the City Commission. Amendments will not be considered within the first year following the establishment of the neighborhood association boundaries.

The boundaries of the Barclay Hills Neighborhood Association shall be as shown on the attached map and as described below:

The Barclay Hills Neighborhood Association shall be bounded on the north by Mt. Hood Street, Cascade Avenue, Alden Street and the northern edge of the Barclay Hills Subdivision, on the east by Newell Creek Canyon, on the south by the Mt. View Cemetery property and on the west by Molalla Avenue.

C. Organization and By-Laws

Following determination of the boundary for the neighborhood association, the persons seeking formal recognition shall:

(1) Hold at least one public organizational meeting which has been well publicized in the neighborhood and adopt written bylaws which provide at a minimum for the following:

(a) for the election of officers.

(b) for meetings to be conducted in conformance with the requirement of the public meetings law in those situations where the association meets for the purpose of deliberating toward, making recommendations concerning, or acting in a way in an advisory capacity on any issue, on which the City may make a decision through its governing body, its boards and commissions or in an administrative capacity. This provision shall apply to meetings of the association regardless of the size of its membership and notwithstanding the absence of a required quorum provision in its bylaws.

(c) that written minutes required by the public meeting law also record minority opinions and that copies of minutes be forwarded within a reasonable time to the Community Involvement Coordinator.

(d) that a current list of names and addresses of the officers of the association be kept on file with the Community Involvement Coordinator.

(e) that a minimum of two (2) general membership meetings are held each year, at least sixty (60) days apart and the time, place and purpose be well publicized throughout the neighborhood at least seven (7) days in advance of the meeting.

(2) Following adoption, a copy of the association's bylaws shall be filed with the Community Involvement Coordinator, and maintained and updated to reflect amendments by the association.

(3) Bylaws of the neighborhood association shall be adopted for the conduct of business which provide for full participation, democratic decision-making and open meetings. Robert's Rules of Order (*latest revision*) shall govern the procedures of the association when procedure is not otherwise covered by these bylaws.

D. Formal Recognition

The Barclay Hills Neighborhood Association, having met criteria set forth in subsections A, B and

C. of this section, is formally recognized when the City Commission has approved this agreement by resolution and the Mayor has signed it on behalf of the City Commission.

Section 4. Termination of Recognition and Grievances. The formal recognition of the neighborhood association may be terminated by the City Commission for failure to abide by its bylaws or the provisions of this ordinance. However, prior to termination of recognition by the City Commission, upon request, a hearing may be held to determine the validity of any charges and allow representatives of the neighborhood association to be heard. If the City Commission terminates recognition, it shall advise the membership of the neighborhood association of the appropriate procedures and means to regain recognition through letters by the Mayor to the principal officers of the neighborhood association, as well as to the general membership by sending the letter to the address of record of the neighborhood association, and by other notice as deemed appropriate by the City Commission under the circumstances.

Section 5. City Support of Associations. The City, through the City Manager's office and subject to his or her judgment concerning the availability of resources or budgetary limitations, shall provide support and assistance to the recognized Barclay Hills Neighborhood Association. The City shall develop administrative procedures, as deemed appropriate, to provide the Neighborhood Association the support and encouragement to assure the successful operation of the association. Such support shall include at a minimum, as practical under the circumstances, the following:

- A. Materials and supplies to aid an association in the formation, recognition and operation;
- B. Reprographic services;
- C. Distribution costs for the mailing of the neighborhood association newsletter or meeting notices prior to each general membership meeting;
- D. Staff assistance as available;
- E. Use of City facilities and equipment;
- F. Mail notifications of meetings, hearings, pending decisions, elections and other citizen participation events neighborhood associations; and
- G. Other economic assistance and support.

Section 6. Statutory Requirements. Oregon Revised Statutes (ORS) provide for specific activities and actions related to formally recognized neighborhood associations:

ORS 197.763 (2) (s): Notice of land use hearings shall be provided to any "neighborhood or community organization recognized by the governing body [the City] and whose boundaries include the site [of the applicant]."

ORS 227.175 (10) (b): The fee charged for an appeal to an administrative decision or for requesting a hearing on an administrative decision is waived for "neighborhood or community organizations recognized by the governing body [the City] and whose boundaries include the site [of the applicant]."

Although not a statutory requirement, the City will also waive the fee charged for an appeal on a Planning Commission decision to the City Commission.

Section 7. City Commission and Association Review. Periodically, the City Commission or the Neighborhood Association may seek review of the Association, this agreement, the Association's boundaries or the criteria for formal recognition set forth herein. The City Commission may subsequently amend, modify or change any decision made pursuant to the criteria for formal recognition or any other provision of this agreement.

Adopted, signed and approved this ____ day of ____, 1997.

Mayor, City of Oregon

President,
Barclay Hills Neighborhood Association

Elyville / Barclay Hills Neighborhood Association Minutes

November 9, 2021

Where: Saint John the Apostle Cemetery 451 Warner St, Oregon City & Virtual Jitsi

Call to Order & Introductions 7:06PM

Oregon City Police updates: Homeless Liaison named Officer Dan Hanes with Officer Wadsworth and Officer Willard. Dan's job is to get homeless off the street, set them up with a case manager to help assist to get them on their feet. Working closely with The Father's Heart. Newell Creek Canyon cannot be touched by OCPD because of Metro without invitation. Dan wants to keep in touch with our neighborhood and address any questions, his contact info is 503.793.2406 and email at dhanes@orc.org. In case of emergency, it is best to call OCPD nonemergency at 503.655.8211. Officers are alert to Holmes traffic and are pushing enforcement. A resident shared her experience about a resident who honks at the end of Pearl turning on to Linn daily. Rumor has it the man drives a pickup and honks where his wife died. Since the story was shared on social media, others are doing so, which is a bit disturbing to the neighbors there. The officers said they will be more active to patrol the area.

BHNA reports and maintenance

1. approve minutes for September 2021: motion by Didi Dahsrud, 2nd by Barbara Camrana - approved
2. Treasurer's report: \$84.50 cash & \$50 gift certificate at Grocery Outlet
3. CIC update - discussed neighborhood association concerns, needs, and praises to our city staff. Also, Corner 14 adding additional seating that will take parking spaces towards the back of the old Spicer property.

Renaming Barclay Hills to Elyville. Historical information was presented informally. Our area was owned by the Holmes Family entirely and land was donated to the City of Oregon City when Elyville incorporated. George and Duane Ely owned a significant amount of South of Oregon City called Elyville including the original post stop near 808 Molalla (in front of Elyville natural water reservoir and initially owned significant property of what is currently Barclay Hills). Barclay Hills Dr was Duane St up until the subdivision/development redirecting Barclay Hills Dr. Elyville includes the two cemeteries of Mountain View and Saint John the Apostle Cemetery, Ely family had the original deed to Saint John the Apostle when the church bought it. Much history was shared including pictures, maps, and documents via slideshow. Support and information was assisted and provided by City Commissioner Denyse McGriff, Architectural Historian Leesa Gratreak, & Clackamas Historical Society volunteers Steven Dietz, Jo Lynn, and Johna Heintz. As BHNA Chair from 2018, residents told Karla Laws that this is a big issue for them and wanted the old Elyville Neighborhood acknowledged, it was time to try to attempt to make this happen. Elyville was an original geographical location South of Oregon City according to 'Oregon Geographic Names' Lewis A McArthur research as well as noted in the 1900 Sanborn Maps of Oregon City (before Elyville was incorporated). Motioned neighborhood and neighborhood association name change by Jim Donnelly, 2nd by Gary Avery. All approved, no opposed.

Elyville / BHNA Chair Karla Laws asked for 5 min for public comment at city commission for requesting the neighborhood of Singer Creek area to be reevaluated for zoning since the city commission is revisiting and redoing the City of Oregon City Comprehensive Plan. **Motioned approval by Jim Donnelly, 2nd by DeAnn Beals - all approve, no opposed. The Online attendees were disconnected at this point because our technology device had died. Vote was conducted by in-person attendees.** Decided that the Comprehensive Land Use and Planning Committee Chair Jim Donnelly will speak on our behalf. A separate comment, Karla Laws plans to discuss concerns about documenting and public record from the city attorneys concerning ORS 227.180(1)(a). The need for our neighborhood to be able to see these comments as a reference and understand in the future how to advise our neighborhood concerning land use issues.

Meeting Adjourn 8:25PM

Next Meetings (2nd Tuesdays), open to all:

Planning Meeting **December 14**, 2021 7:00 pm

General Meeting **January 11**, 2022 7:00 pm

Any questions, comments, etc.

contact Karla Laws, BHNA Chair, 503.956.0634 or karla.laws+BHNA@gmail.com

More details: <https://www.orcity.org/community/barclay-hills-neighborhood-association>

December 2, 2021

419 Roosevelt St
Oregon City, OR 97045

City Commission
City of Oregon City
625 Center St
Oregon City, OR 97045

Subject: Elyville Neighborhood & Elyville Neighbor Association Name Restoration

Dear City Commission,

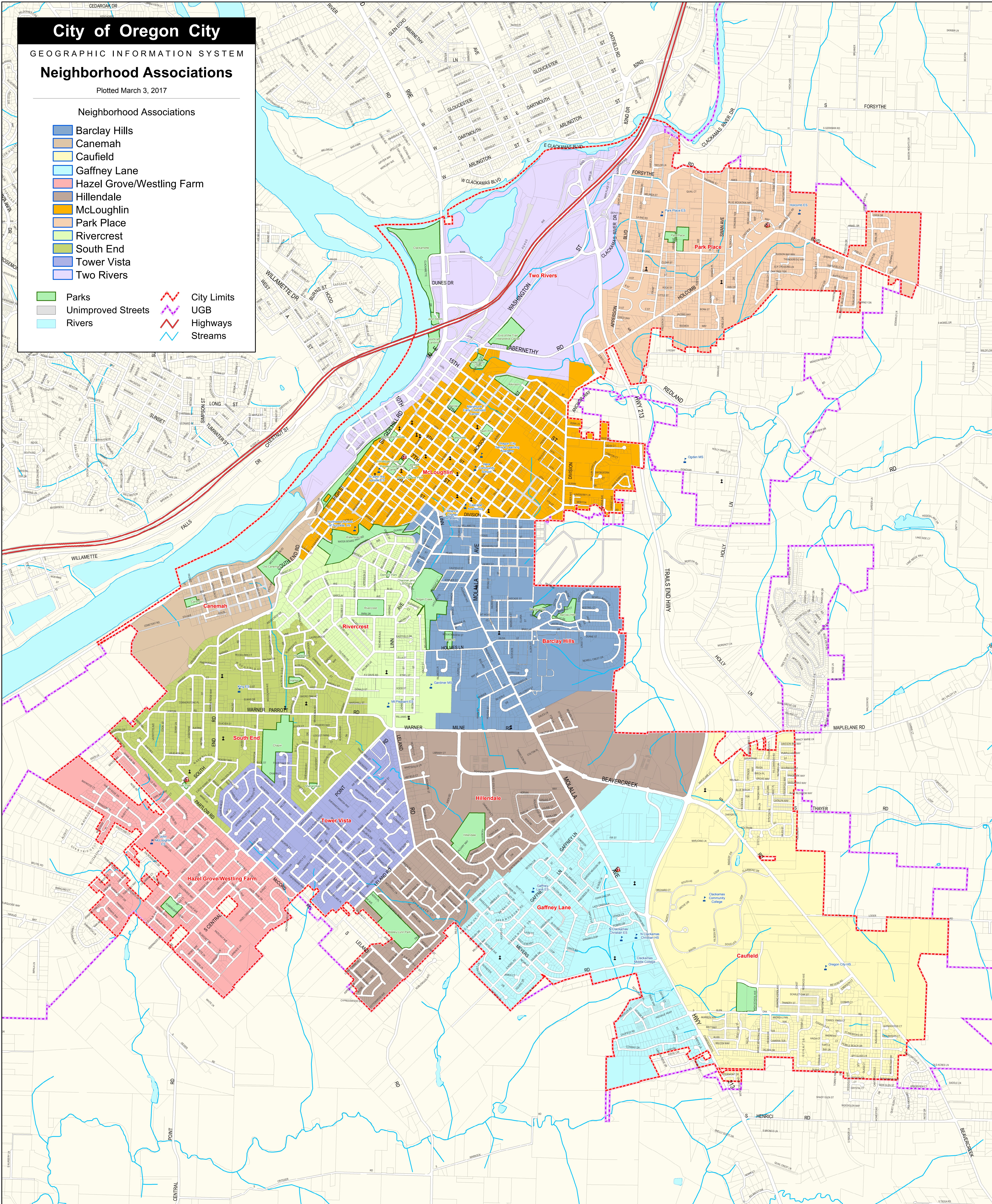
After I became Chair of Barclay Hills Neighborhood Association in 2018, various neighbors brought up history and said to me 'you recognize we really are Elyville?' We researched further with help from local residents, historians, and a descendant. In Summer of 2021, Elyville was a topic of discussion on the agenda for our neighborhood meetings. On September 14, the neighbors at our general meeting voted to create a neighborhood name change committee. This committee communicated over email and met in person on October 16, 2021 and decided to propose the name restoration at the next general meeting. The topic was announced on our postcard that went out to all the neighbors. At the general meeting on November 9, 2021 (which was dual in person and video-chat), a motion was made to restore the Elyville name for the neighborhood and neighborhood association. All were in favor, 2 abstained virtually, and none opposed. I will include the 'draft' Minutes from November 9th with this email; however, the minutes will not be official until our next meeting in January 2022. We hope the city commission would honor our request to restore our original geographical name for our neighborhood and neighborhood association?

Thank you for staff assistance and we appreciate the support!

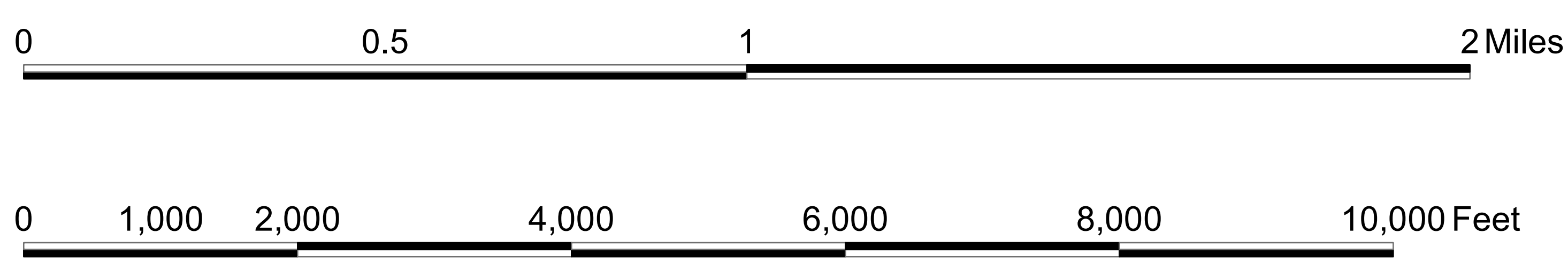
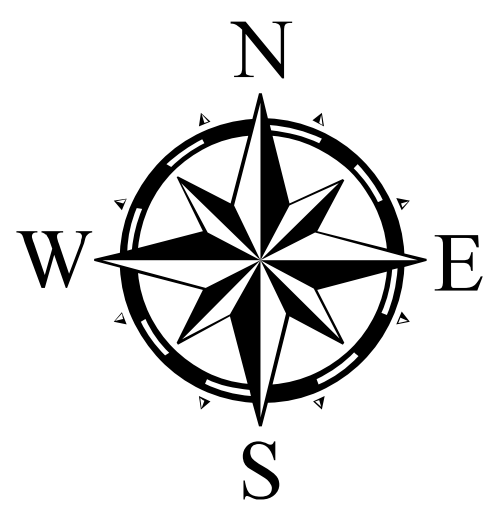
Kindest regards,

Karla Laws

Karla Laws
Elyville NA Chair



MAP FOR REFERENCE PURPOSES ONLY.
The information on this map is derived from Oregon City's digital database. However, there may be map errors or omissions. Please contact Oregon City directly to verify map information. Notification of any errors is appreciated.



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