CITY OF OREGON CITY
PLANNING COMMISSION
AGENDA

Commission Chambers, Libke Public Safety Facility, 1234 Linn Ave, Oregon City
Monday, August 22, 2022 at 7:00 PM

This meeting will be held in person and online via Zoom; please contact ocplanning@orcity.org for the meeting link.

CALL TO ORDER

PUBLIC COMMENT

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

PUBLIC HEARING

1. Adopt Revised Planning Commission Bylaws
2. GLUA-21-00045 / MAS-21-00006 / VAR-22-00001 Park Place Crossing General Development Plan.

COMMUNICATIONS

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.

CITY OF OREGON CITY

Staff Report

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

To: Planning Commission **Agenda Date:** 08/22/2022

From: Aquilla Hurd-Ravich, Community Development Director

SUBJECT:

Adopt Revised Planning Commission Bylaws

STAFF RECOMMENDATION:

Staff recommends the Planning Commission adopt revised bylaws.

EXECUTIVE SUMMARY:

The Planning Commission bylaws were last updated in 2000. Given the amount of time that has passed and some typographical errors in the current bylaws, the Planning Commission agreed a review was timely. At the Planning Commission meeting on June 27th, 2022, Commissioners, staff, and the Assistant City Attorney reviewed the bylaws and identified revisions. At the conclusion of their discussion, the Commission decided it was appropriate and prudent to present the bylaws to the City Commission before final approval and adoption by the Planning Commission.

A revised draft was presented to the Planning Commission again at their July 25, 2022 work session when they voted 7-0 to forward a copy to the City Commission for review. The City Commission reviewed the revised bylaws at their work session on August 17, 2022 as a courtesy check. The final version is back before the Planning Commission for adoption.

Bylaws are generally a set of rules set up by a board to regulate itself. They identify the way a group functions in addition to listing purpose, roles, and responsibilities among other items. The Planning Commission bylaws consist of the following eight articles:

1. Name
2. Purpose, Authority, and Duties
3. Membership
4. Officers and Staffing
5. Organization Procedures
6. Duties of Officers
7. Duties of the Commission
8. Goals and Objectives

The bylaws are different from OCMC 2.24 Planning Commission which is the Ordinance adopted by the City establishing and recognizing the Planning Commission. Generally, the bylaws and Municipal code compliment one another; however, should a conflict arise, the Municipal code will prevail which is acknowledged in Article 5 Organization Procedures of the bylaws.

OPTIONS

1. Adopt revised bylaws
2. Suggest revisions and bring back the bylaws for adoption at a later date.

OREGON CITY PLANNING COMMISSION BYLAWS

Article I. Name
The name of this commission is the Planning Commission (PC).

Article II. Purpose, Authority, and Duties

A. The purpose of the Planning Commission is to serve as an advisory body to, and a resource for, the City Commission in land use matters and to make certain Quasi-judicial decisions for the City.

B. The Planning Commission is authorized by ORS Chapter 227 and Oregon City Municipal Code Chapter 2.24.

C. The Planning Commission's duties include giving voice to the community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Oregon City Comprehensive Plan and ancillary documents.

Article III. Membership

A. Each Planning Commission member shall be appointed by a majority vote of the City Commission and those members shall serve at the pleasure of the City Commission. Terms are for a period of four years. Planning Commission members shall serve no more than eight consecutive years.

B. The Planning Commission consists of seven members. No more than two members may be non-residents, and no more than two members shall be engaged in the same kind of occupation, business, trade, or profession. No member may be a City of Oregon City officer, agent, or employee.

C. Vacancies are filled in the same manner as the original appointments.

D. Upon a finding of misconduct or nonperformance of duty, the Planning Commission may recommend termination of that appointment to the City Commission, and the City Commission may remove the incumbent from the Planning Commission, after a public hearing, and declare the position vacant to be filled in the manner of regular appointment.

E. All members shall serve without compensation.

Article IV. Officers and Staffing

A. Officers. The officers consist of a chairperson and a vice-chairperson who shall be selected by the membership and who shall serve at the pleasure of the membership for one year. Nominations and election of new officers shall be taken from the floor at the Planning Commission's first meeting of the year. Officers may be re-elected. In the event that an officer is unable to complete the specified term, a special election shall be held for the completion of the term.

B. Chairperson. The chairperson shall have general supervisory and directional powers over the Planning Commission. The chairperson shall preside at all Planning Commission meetings and review Planning Commission agendas with the staff liaison. The chairperson shall also be an ex-officio member of all subcommittees and shall be the designated spokesperson for the Planning Commission unless this responsibility is delegated in writing.

C. Vice-Chairperson. The vice-chairperson, in absence of the chairperson, shall have general supervisory and directional powers over the Planning Commission. The vice-chairperson shall preside at all Planning Commission meetings and review Planning Commission agendas with the staff liaison, and generally conduct all business delegated in the chairperson's absence.

D. Staff. The City of Oregon City will provide staff support to the Planning Commission for meeting notification, word processing, minutes preparation, copying and information gathering to the extent the City budget permits.

Article V. Organizational Procedures

A. The Planning Commission shall hold meetings as necessary at a time and place designated by staff consistent with Oregon Public Meetings Law.

B. All regular meetings will be adjourned no later than 10:00 p.m., unless extending until no later than 11:00 p.m. is agreed upon by the majority of Commissioners present at that meeting.

C. Fifty-one percent of the voting membership of the Planning Commission shall constitute a quorum. The concurrence of a majority of the Planning Commission members present shall be required to decide any matter. If a quorum is not attained fifteen minutes following the scheduled time of call to order, the meeting shall be cancelled.

D. All members who are present at a Planning Commission meeting, including the chairperson and vice-chairperson, are allotted one vote each on all motions.

E. These Bylaws may be repealed or amended, or new bylaws may be adopted by a majority vote of the Planning Commission on its own initiative. The repealed, amended, or new bylaws shall not violate City ordinances. If any provision of these bylaws conflict with City ordinances, state law, or constitutional provisions, those other provisions will take precedence over the Planning Commission bylaws.

F. The parliamentary authority for this Planning Commission is Robert's Rules of Order Revised, current version, except where superseded by these Bylaws or local, state, or federal law.

G. Planning Commissioners are required to file annual statements of economic interest as required by ORS 244.050 with the Oregon Government Standards and Practices Commission.

H. Individuals being considered for appointment to the Planning Commission must be willing to dedicate to, at a minimum, two meetings per month.

I. A scheduled Planning Commission meeting may be cancelled upon the determination of the Community Development Director in conferral with the Planning Commission Chair and upon compliance with applicable land use laws and procedures.

Article VI. Duties of Officers

A. The chairperson or vice-chairperson, in addition to the duties in Article IV, shall preserve order and decorum at Planning Commission meetings.

1. The chairperson may assess the audience at the beginning of the meeting, and, with the consent of the Planning Commission, announce reasonable time limits. Unless the Planning Commission directs otherwise, the time limits for testimony during quasi-judicial land use hearings shall be as follows:

- 15 minutes for staff report
- 15 minutes for applicant
- 5 minutes for representatives of a recognized Oregon City neighborhood association, government agency, or other incorporated public interest organization from Oregon City
- 3 minutes for any individual
- 5 minutes for applicant's rebuttal

2. City staff shall summarize the issues to be addressed and the criteria to be applied prior to the public hearing testimony.

B. The chairperson shall ask for response and opinion from the members of the Planning Commission.

C. The chairperson may mentor the vice-chairperson.

D. The chairperson may appoint Planning Commission members to specific projects or committees.

E. The chairperson or vice-chairperson shall confer with the Community Development Director on a regular basis outside scheduled meetings concerning the direction each expects of the Planning Commission.

F. In conjunction with the Community Development Director and City Attorney, the chairperson shall orient new members.

Article VII. Duties of the Commission

A. Planning Commission members are encouraged to address all those who come before the Planning Commission by the last name only, and common title (Mr., Mrs., Ms., etc.), not by first name.

B. If a member is unable to attend a meeting, it is that member's responsibility to inform the Planning Division staff and/or the Planning Commission chairperson of that fact prior to the meeting to be missed.

C. Prior to Planning Commission meetings, members are encouraged to read all information packets and visit sites that are the subject of land use action.

Article VIII. Goals and Objectives

A. The Planning Commission shall review the City Commission goals annually for establishment of Planning Commission goals that enhance and augment those of the City Commission.

B. The Planning Commission shall establish goals, at a minimum, annually.

Adopted this ___ day of ____, 2022

Dirk Schlagenhaufer, Chairperson
Oregon City Planning Commission

CITY OF OREGON CITY

Staff Report

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

To: Planning Commission **Agenda Date:** 08/22/2022

From: Pete Walter, Planning Manager

Aquilla Hurd-Ravich, Community Development Director

SUBJECT:

GLUA-21-00045 / MAS-21-00006 / VAR-22-00001 Park Place Crossing General Development Plan.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission provide a tentative decision for Approval with Conditions on August 22, 2022, close the public hearing and record, deliberate, and continue the item for final adoption of the Staff Report and Decision on September 12, 2022.

EXECUTIVE SUMMARY:

The revised Staff Report and Recommendation reflects revisions submitted by the applicant on August 11, 2022 and August 18, 2022. The recommended finding and conditions of approval herein have been revised to reflect the revised submittal.

With the revisions submitted on August 11, 2022, the applicant has proposed several changes from the original proposal that reduces the overall density of the Park Place Crossing project from the original proposal of 476 units.

Revisions include:

- A new exhibit submitted 8/17/2022 indicating locations of alley loaded vs. topographically constrained lots
- 440 total housing units.
    - 287 single-family detached dwelling - 65 %
    - 139 single-family attached dwellings – 32%
    - 14 units of Mixed Use – Apartments – 3%.
- With this revision the applicant is no longer requesting a density increase permitted through General Development Plans per OCMC 17.65.070.C.4. The density of the project was adjusted by making the following considerations:

  - Larger lots at least 10,000 square feet in area where the development abuts existing residential subdivisions and open space.
  - The number of lots in phase 1 has been reduced from 59 to 49 units.
  - Paired townhomes have been added to phase 1. To adjacent properties, these units would appear similar to a single family detached residence. This also brings diversity in housing types and the opportunity for more affordable homes to be provided in Phase 1.
- Alleys. Where feasible, the applicant has added alleys to allow additional homes to provide rear access. Perimeter lots, because they abut either natural areas or existing homes, and lots in areas with topographic constraints have not been planned with alley access. The addition of these alleys will reduce the number of driveways accessing local streets.
- The Mixed Use/Civic/Village Green area has been revised to three parcels of 0.51 acres, 0.56 acres and 1.26 acres (total 2.43 acres), bisected by an additional local street to provide a continuous corridor for the Livesay Main Street area, to provide additional transportation connectivity that better integrates this area with the Park Place Crossing neighborhood and future Park Place North Village areas.
- The opportunity for additional affordable attached single- family housing and other residential use types (e.g., those within Neighborhood Commercial areas).
- A future public park site of 4.3 acres. The park site has been reconfigured and although .1 acres smaller than originally proposed, provide sufficient land in proportion with the number of units proposed within the development.

The public hearing for this application first opened on April 25, 2022. Subsequently the applicant requested continuances and was granted by Planning Commission to May 9, 2022, May 23, 2022, July 11, 2022, July 25, 2022, and now to August 22, 2022.

Additional time was requested by the applicant to address the concerns outlined below, and for staff to provide a revised staff report analyzing the revised proposal, and the new issues raised at the July 11 hearing, with revised conditions of approval.

The applicant has granted a thirty-day extension of the decision deadline, which is currently September 23, 2022, to October 23, 2022.

At the July 11 hearing, additional questions and concerns were raised by the Planning Commission. These concerns included:

- How the proposed General Development Plan complies with the density requirements of the Park Place Concept Plan and the minimum and maximum density requirement of the zoning code.
- The phasing and mechanism for when and how the Redland Road connection will be made
- How the proposed park realignment and new layout for Neighborhood Commercial areas complies with the Park Place Concept Plan.
- The timing for the requirement for a new local road connection east of Holly Lane.

- The design of the cross section of Holly Lane at the pinch point and concerns regarding noise, grading and buffering from adjacent Trailview Estates residents.
- Engineering staff input regarding the geologic hazard slope stability and conditions and differences between in the North and South Village areas of the concept plan.
- Discussion of how lots will be sized to better blend with adjacent development and protect existing surrounding residents
- Sight distance concerns for the Holly Lane extension to the north realignment and concerns over steep slopes and impeded vision along the “S” curve.
- An explanation from the City Attorney concerning *Baker v. City of Milwaukie* and the relevance to this land use review.
- Revised conditions of approval.

At the July 11, 2022, the applicant presented a revised proposal to address concerns expressed in prior hearings by members of the public, staff, and the Planning Commission. The applicant submitted a revised proposal that addresses four areas:

1. An extension of Holly Lane to Holcomb Blvd
2. Reconfiguration of the proposed portion of the Community Park located at the southwest corner of the Master Plan area.
3. A second street connection to provide additional connectivity to Livesay Rd.
4. A plan that would prevent 2,000 average daily trips (ADT) on Winston Drive, Cattle Drive, Shartner Drive, and Street A.

The Park Place Crossing Master Plan consists of 92 acres that will eventually provide 440 residential units planned over six phases, a community park, open space, regional stormwater management facility, a retail/civic site, and trail components. The Park Place Crossing Master Plan area is within the northernmost portion of the larger Park Place Concept Area established in 2008 through the Park Place Concept Plan. The 92-acres was annexed into the City limits through AN-17-04.

The 92-acre site includes properties zoned Medium Density Residential (R-5), Low Density Residential (R-10), and Neighborhood Commercial (NC).

BACKGROUND:

The 92-acre subject property was annexed and assigned zoning in 2018 through AN-17-04 and ZC 17-05; this application for a General Development Plan is the next step in the development of this site. One of the conditions of approval imposed by the City on the approved annexation request was that the applicant obtain General Development Plan approval for the 92-acre area prior to any urban development on the site.

This application includes requests for the following approvals:

- **General Development Plan (GDP)**: The overall long-term approach to development through 2030 for up to 440 residential lots, including supporting parks,

trails, and neighborhood commercial and civic spaces. Included in the request for GDP approval is:

- A modification to street width standards for a limited segment of Holly Lane
- Adjustments to the following development standards:
  - OCMC Chapter 17.08.040 and 17.10.040 Dimensional Standards, including up to 20% reduction of lot sizes, widths, depths, and setbacks
  - OCMC Chapter 17.21.090.A for garage placement and design

- **Variance:** Request to reduce the minimum lot size for attached single family lots to 1800 square feet.

The originally submitted General Development Plan included the following uses:

- 476 total housing units, including 126 attached dwellings and 350 detached dwellings
- Construction of a segment of Holly Lane, a planned collector street
- A future public park site of 4.4 acres
- Approximately 1.3 acres of commercial/civic space provided in two parcels
- An off-street trail system within protected natural areas

Phase 1 is anticipated to be constructed in 2023, with completion of Phases 2 through 6 accomplished by 2030. Detailed Development Plan applications for each Phase are anticipated to be submitted at a future date following approval of the General Development Plan. The provision of the OCMC 17.65, Master Plans, allow for detailed development plans to be reviewed through a Type II process following the Type III approval of a General Development Plan.

This approach allows staff, the applicant, and the public a clear road map for what is required for future detailed development plans, and clearly specifies the range of development that may be authorized and the levels of public improvements necessary to serve that development.

OPTIONS:

1. Following further testimony from the applicant, staff and public, tentatively approve with conditions GLUA-21-00045 / MAS-21-00006 / VAR-22-00001, close the public hearing and record, and continue the items to a date certain of September 12, 2022 for adoption of final findings.
2. Following further testimony from the applicant, staff and public, do not close the public hearing and record, and continue GLUA-21-00045 / MAS-21-00006 / VAR-22-00001 to a date certain to allow additional information to be added to the record.

BUDGET IMPACT: N/A

OREGON CITY

Community Development – Planning

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

TYPE III STAFF RECOMMENDATION

Revised August 1~~5~~8, 2022

Note: this report reflects revisions submitted by the applicant on 8/11/2022 and 8/18/2022 and the recommended findings and conditions of approval herein have been revised to reflect the revised submittal.

FILE NUMBER: GLUA-21-00045 / MAS-21-00006 / VAR-22-00001 Park Place Crossing General Development Plan

HEARING DATE: *Planning Commission*
(Public hearing continued from July 11, 2022)
Monday, August 22, 2022 - 7:00 p.m., Oregon City Commission Chambers
1234 Linn Avenue, Oregon City, OR 97045

Staff recommends the Planning Commission provide a tentative decision on August 22, 2022, close the public hearing and record, and continue the item for final deliberation and adoption of the Staff Report and Decision on September 12, 2022.

REPRESENTATIVE: AKS Engineering & Forestry, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97062

APPLICANT: ICON Construction & Development, LLC
1969 Willamette Falls Drive, Suite 260
West Linn, Oregon 97068

Submitted: 7/20/21
Complete: 1/4/22
120 Day Deadline: 7/25/22
Extension: 10/23/2022
NOD:

OWNERS:

Address:	**Tax Lot:**	**Owner**
NO SITUS ADDRESS	2-2E-27BC -01000	Redland Rd LLC
15110 S HOLCOMB BLVD	2-2E-27BC -02000	Redland Rd LLC
NO SITUS ADDRESS	2-2E-28D -00100	Hidden Falls LLC
NO SITUS ADDRESS	2-2E-28D -00190	Hidden Falls LLC
16530 S LIVESAY RD	2-2E-28D -00200	Kirk and Michelle Tolstrup
16644 S LIVESAY RD	2-2E-28D -00300	George Thomas
NO SITUS ADDRESS	2-2E-28D -00301	George Thomas
NO SITUS ADDRESS	2-2E-28D -00302	Hidden Falls LLC
NO SITUS ADDRESS	2-2E-28D -00303	George Thomas
16582 S LIVESAY RD	2-2E-28D -00400	Hidden Falls LLC
14631 S LIVESAY RD	2-2E-28D -00500	Hidden Falls LLC
14631 S LIVESAY RD	2-2E-28D -00502	Robert Tershel
16472 S LIVESAY RD	2-2E-28D -03700	Hidden Falls LLC
NO SITUS ADDRESS	2-2E-28D -03701	Redland Rd LLC

REQUEST: The Park Place Crossing (PPC) Master Plan consists of ±440 residential units planned to be provided in six residential phases on 91.7 acres of land. The project also includes a community park, open space, regional stormwater management facility, retail/civic, and trails components. The Park Place Crossing Master Plan area is within the northernmost portion of the Park Place Concept Area (PPCA) established in 2008 through the Park Place Concept Plan (PPCP).

LOCATION: North and East of S Livesay Road, South of S Holcomb Road, Oregon City, Oregon
Map 2 2E 28D: Tax Lots 100, 190, 200, 300, 301, 302, 303, 400, 500, 502, 3700, 3701
Map 2 2E 27BC: Tax Lots 1000, 2000

REVIEWER: Pete Walter, Planning Manager
Erik Nichols, Public Works Engineering Development Services, Project Manager
Aquilla Hurd-Ravich, AICP, Community Development Director

RECOMMENDATION: Approval with Conditions.

PROCESS: Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include master plan approvals. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission hearing is published and mailed to the applicant, recognized neighborhood association and property owners within three hundred feet of the subject property. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission, all issues are addressed. The decision is final unless appealed and description of the requirements for perfecting an appeal is set forth in OCMC 17.50.190. The decision of the planning commission is appealable to the city commission within fourteen days of the issuance of the final decision. The city commission hearing on appeal is on the record and no new evidence shall be allowed. Only those persons or a city-recognized neighborhood association who have participated either orally or in writing have standing to appeal the decision of the planning commission. Grounds for appeal are limited to those issues raised either orally or in writing before the close of the public record. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal. The city commission decision on appeal from the planning commission is the city's final decision and is appealable to the Land Use Board of Appeals (LUBA) within twenty-one days of when it becomes final.

The Master Plan / PUD process allows for an initial discretionary (Type III) General Development Plan approval by the Planning Commission, which provides for more detailed implementation of the submitted plan through subsequent staff level (Type II) review of Detailed Development Plan applications over multiple phases as directed by the applicant. Each development will be reviewed for compliance against the adopted General Development Plan and the July 20, 2021 Municipal Code over the life of the General Development Plan, unless amended, or unless the applicant prefers to comply with the Municipal Code standards in place when the Detailed Development Permit is filed.

Type II applications require public notice and comment, however, they are not required to be reviewed by the Planning Commission and are subject to clear and objective standards in the code.

This approach allows staff, the applicant, and the public a clear road map for what is required, and more importantly, clearly specifies the range of development that may be authorized and the levels of public improvements necessary to serve that development. All permitted uses in the site's three zones: R-10, R-5, and NC, are allowed within the zoned areas subject to any limitation set forth in the Park Place Concept Plan, and based on the code in place when the General Development Plan was filed.

Illustrations, renderings, and demonstration photos found in the submitted General Development Plan application are considered background documentation and are not to become applicable approval criteria for the evaluation of a Detailed Development Plan review in the future. Futadditions to or removal of permitted uses listed in the Applicant's submittal shall not in themselves constitute a need for an amendment to the General Development Plan unless the addition or revision makes changes to the master plan that triggers a need for an amendment as provided in OCMC 17.65.080 *Amendments to Plans*.

OREGON CITY
Community Development – Planning
695 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

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OREGON CITY

Community Development – Planning

695 Warner Parrott Road | Oregon City OR 97045
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RECOMMENDED CONDITIONS OF APPROVAL
Planning File GLUA-21-00045

(P) = Verify that condition of approval has been met with the Planning Division.
(DS) = Verify that condition of approval has been met with the Development Services Division.
(B) = Verify that condition of approval has been met with the Building Division.
(F) = Verify that condition of approval has been met with Clackamas Fire Department.

Note :
DDP means "Detailed Development Plan."

GDP means "General Development Plan."

The terms "Master Plan" and "General Development Plan" are used interchangeably and are synonymous.

Planning Division - Conditions of Approval:

1. Unless subsequently amended by the Planning Commission, this Master Plan shall control development on the site for 20 years from the date of the initial adoption of this General Development Plan. All land within the Master Plan boundaries is subject to compliance despite any future lot line adjustments or land divisions.

2. For each Detailed Development Plan application, the applicant may choose to utilize the July 20, 2021 Oregon City Municipal Code, as adopted at the time of the Master Plan submittal or the Development Code that is applicable at the time a Detailed Development Plan (DDP) is applied for.

3. Detailed development plan phase boundaries are understood to be approximate and are subject to change in the future. Thus, mitigation shall be defined by the number of residential units proposed, coupled with those developed in previously approved phases, rather than by master plan phase boundary.

4. Unless otherwise specified in these conditions of approval, all permitted uses in each of the three zones (R-10, R-5, and NC) are allowed within the area subject to the Master Plan. Additions to or removal of uses listed in the Applicant's submittal shall not in themselves constitute a need for an amendment to the Master Plan unless the addition or revision triggers a need for an amendment through a Condition of Approval or OCMC 17.65.080 Amendments to Plans.

5. The following adjustments to the Municipal Code are approved and subject to the conditions found in the Notice of Decision.
   ~~a.~~ OCMC 17.08.040 and 17.10.040 Dimensional Standards, including up to 20% reduction of lot sizes, widths, depths, and setbacks.

a.

b. The requested adjustment to the garage orientation standards in OCMC 17.21.090.A is approved for the lots indicated as topographically constrained on Exhibit 7, "Revised Alley-loaded and Topo Constrained Lot Exhibit" dated 8/17/2022. Corner lots shall use sideloaded garages wherever feasible. ~~is not approved.~~Since lot layouts and garage locations will be subject to further refinement with subsequent DDP submittals, the applicant shall provide narrative justification for granting the exception to the garage orientation standard to be reviewed with each DDP submittal.

6. The recommended proportional share amounts in Exhibit 4 for Phase 1 shall be required at the time of final plat for Phase 1, unless amended by an updated transportation study provided by the applicant and reviewed by the City as part of the Phase I DDP review.

TSP Project	**Estimated TSP Project Cost ($000)**	**Total PM Peak Entering Volume (2035)**	**$/trip**	**Phase 1 Trips**	**Phase 1 Share $**
Redland/Holly D36	$1,040	688	$545	1	$545
Holcomb/Holly D43	$1,040	1899	$1512	61	$92,232
I-205 SB Ramps/ OR 99E D75	$2,990	5690	$525	5	$2,625
I-205 NB Ramps/ OR 99E D76	$1,970	6155	$320	5	$1,600
Hwy213/Redland D97	$10,105	6540	$1545	22	$33,990
Redland/ Holcomb/ Abernethy	na	2273	na	35	na
Hwy213/Beavercreek D94	$2,800	6935	$404	5	$2,020
Holcomb Blvd Sidewalk Infill W11, W12, W13	$3,035	1135*	$2674	50	$133,700
Holcomb Blvd Bike Lanes B12	$560	1135*	$493	50	$24,650
Holcomb Blvd Pedestrian Crossings C3, C4, C5, C6	$140	1135*	$123	50	$6,150
* Two-way PM peak volume on Holcomb Boulevard east of Redland Road/Holcomb Blvd/Abernethy Road intersection					

7. Any proposed development beyond Phase 1 or 60 units, whichever occurs first, shall provide an updated transportation study that measures impacts at HWY 213 and Redland Road as well as any other affected intersections as defined by the City's adopted Guidelines for Traffic Impact Analysis. New traffic studies shall be provided with each subsequent Detailed Development Plan and shall provide new counts for existing traffic volumes, and not rely on old data.

8. Detailed development plans for any phase beyond Phase 1, or 60 residential units, will require additional analysis and implementation of mitigation measures that demonstrate that the transportation system is "capable of serving the proposed development, or will be made

capable by the time each phase of the development is completed" in accordance with OCMC 17.65.050.C.3. Specifically, the applicant shall show that improvements have been made to OR-213 and Redland Road and at the intersection of Redland Road/Abernethy Road/Holcomb Boulevard such that v/c standards are met and adequate queue storage is provided before building permits are approved for half the units in Phase 2~~before development can be approved~~.

9. Mitigation for livability impacts to existing residential streets (Cattle Drive, Winston Drive, etc) and proposed Street A shall be as follows:

    a. At the time street connections are made to Cattle Drive and Shartner Drive, the applicant shall add traffic calming elements within the new streets near the connecting points to Cattle Drive, Shartner Drive, Journey Drive, Smithfield Drive and Winston Drive including speed humps, traffic circles, or chicanes, to promote safe speeds. The applicant shall also provide traffic volume and speed data at up to three selected locations to the City to enable the City to evaluate the potential for a traffic calming and/or a speed limit change to 20 mph on the existing local streets. The data shall be provided with any DDP application that includes street connections to Cattle Drive, Shartner Drive, or Journey Drive.
    b. The applicant shall measure average daily trip volume on Winston Drive, Cattle Drive and Shartner Drive and proposed Street A at the time of each DDP application that would route trips on these streets. If trips (total existing plus new) are projected to exceed 2,000 per day on any of these streets, the applicant shall implement one or more of the following transportation improvements:
        i. Implement the proposed phased barrier system to ensure that ADT on existing local streets Winston Drive, Cattle Drive and Shartner Drive and proposed Street A does not exceed 2,000 vehicle per day;
        ii. Ensure a secondary street connection is provided to the south connecting to Redland Road, reducing northbound congestion and so that drivers have multiple route choices. The street connection to Redland Road shall be open and available before the units that would increase local street volumes beyond 2000 trips per day are occupied.
        iii. Provide a full street connection to Livesay Road and make the improvements required by Clackamas County in Condition 47.

10. The applicant shall provide a timeline and plan to complete the Holly Lane to Redland Road connection with the submittal of Detailed Development Plans for phases 4-6, or concurrent with Clackamas County's planned Transportation System Plan Projects 1109 and 1120 for improvements to Holly Lane Bridge and the Holly Lane / Redland Road intersection, whichever occurs first.

11. The applicant shall contribute a fee-in-lieu for parks to be calculated based on $4,783.80 per unit for park land cost plus $3,664 per unit for park improvement costs increased at 18% per annum, to be paid at the time of final plat recording of Phase I of the project. This amount shall be held by the City in the form of a surety until at least 4.3 acres of parkland in the location identified in the GDP exhibit is dedicated to the City. The 4.3 acres of park land shall be dedicated to the City at the time of final plat recording of Phase 2.

12. The open space provided in Tract C of the Phase 1 development area shall be sized at a minimum of 100 square feet per unit proposed in the Phase 1 DDP.

13. The applicant shall provide at least two of the following amenities or features in Open Space Tract C of Phase 1 as part of the detailed development plan: benches, picnic tables, playgrounds, nature play elements, wildlife habitat installations, or other similar elements approved by the Community Development Director. For future phases, the applicant shall provide amenities consistent with this condition in the proposed open space tracts if the public park remains undeveloped. Once the public park is developed, the open space amenities for the entire development will be considered met, and additional amenities on private land will be optional.

14. At the time a Detailed Development Plan is proposed that includes the properties designated as open space, the applicant shall submit, for city review and approval, all proposed deed restrictions or other legal instruments used to reserve open space and maintenance of open space and any related landscaping and facilities. The deed restrictions or other legal mechanisms shall provide for adequate maintenance of the facilities as well as public access easements for trails.

15. With submittal of each DDP, the applicant shall identify any existing eligible historic structures and cultural resources within 250 feet of the development boundary. Further refinement and review for potential impacts to natural, cultural and historical resources within the development boundary and within two hundred and fifty feet of the development boundary will occur at the time of DDP submittal.

16. Any development phases that include mapped Natural Resources Overlay District areas shall be reviewed for compliance with criteria in OCMC 17.49 either before or at the time of first DDP application. Development within areas not included in the applicant's preliminary NROD report are required to be delineated in accordance with standards in OCMC 17.49 and reviewed as part of DDP review.

17. Formal NROD verification of Charman Creek shall be required before or as part of the Phase 1 DDP, with third party review required. The NROD study should include field analysis along the entire shared property line with tax lot 400 near the mapped Charman Creek headwaters, as depicted in Exhibit 8.

18. For each individual DDP application, the applicant shall submit documentation demonstrating the following:
    a. Overall density consistent with the proposal for 440 units;
    b. how the overall development will achieve a ratio that provides for a mix of residential types such that no single residential use exceeds 75 percent of the total proposed units;
    c. how the development is achieving a variety of dwelling types and sizes that are integrated throughout the site, rather than isolated from one another, with compatible transitions between residential types, including appropriate setbacks, landscaping and

screening as necessary, while maintaining street and pedestrian connectivity between all residential uses;

d. If the proposal cannot achieve a density of 9.1 units per acre and/or result in a total of ~~469~~ 426 units through provision of single-family detached and single family-attached housing for the R-10 and R-5 zoned areas, the applicant and any subsequent owners shall be permitted to provide additional units through one of more of the following alternatives permitted under existing zoning or as permitted through subsequent master plan amendments;
    i. Multi-family residential and 3—4 plex residential in the NC zone;
    ii. One or two dwelling units in conjunction with a nonresidential use, provided that the residential use occupies no more than fifty percent of the total square footage of the development in the NC zone;
    iii. Live-work dwellings in the NC zone;
    iv. Middle housing permitted under state law and pursuant to the City's adopted Housing Choices Code Updates (LEG-22-00001).

e. None of the options above precludes the applicant from applying for additional zone changes or Master Plan amendments.

19. The applicant shall ensure that lots in the R-10 zone are 5,000 square feet or more in area for future detailed development plan applications that show compliance with OCMC 17.49.240 for NROD density transfer. If density transfer standards cannot be met in future detailed development plan applications, the minimum size for lots within the R-10 zone will be 8,000 square feet (assuming the requested 20% adjustment is approved).

20. The applicant may include additional areas in the NROD to be counted in the density transfer calculations if future DDP applications can demonstrate in a professional report that the land consists of one or more of the following:
    - NROD overlay as verified through 17.49.250
    - Upland habitat directly adjacent to the NROD boundary
    - Other land that provides ecological benefits or wildlife habitats and is directly adjacent to the NROD boundary

21. All NROD Verifications required for detailed development plan review shall be reviewed through the Type II process described in OCMC 17.49.250. Third party NROD verification review shall be required for all NROD areas, at the applicant's expense. The Planning Division will manage the third-party review from an outside consultant during NROD application review.

22. Future development proposals for the commercial parcels in the GDP area may be reviewed through Type II DDP process unless a Type III review is otherwise required.

23. Flag lots will be reviewed against the criteria in OCMC 16.08.050 for each detailed development plan proposal and will not be permitted if the criteria are not met.

24. The proposed commercial/civic sites within the Neighborhood Commercial Zone shall be identified as parcels and not as "Tracts," in future DDP proposals and applications for development.

25. The applicant shall ensure that future detailed development plans maintain the residential lots outside of the NC-zoned area, unless the residential use is part of a mix of uses that are authorized within the NC zone.

26. Public infrastructure including, water, sewer, storm, and street improvements shall be brought to and through the public right-of-way frontage of the proposed public park and the proposed commercial/civic tracts before or as part of the detailed development plan phase application that represents 60% of the total proposed units and shall be constructed as part of public improvements for that phase.

27. To provide street connectivity and walkability to meet the intent of the Park Place Concept Plan, the applicant shall provide for the following in future DDP applications:
    a. Wherever feasible, utilize traffic calming measures, low speed limits, and tight curb radii to promote slow vehicle speeds.
    b. Marked crosswalks with curb extensions shall be provided at all Holly Lane intersections.
    ~~c. Provide an additional local street connection to the east of Holly Lane and South of Street E.~~
    c. Meet the maximum block spacing of 530 feet throughout the development, except where topographic constraints prevent practicability.
    d. If the maximum block length is exceeded, pedestrian accessways shall be provided no further than 330 feet from the nearest street intersection.

28. In order to ensure connectivity is provided at a reasonable stage in the development, the Tour Creek pedestrian bridge connection shall be included in the detailed development plan phase application that represents 60% of the total proposed units and shall be constructed as part of public improvements for that phase.

29. In future detailed development plan applications, the applicant shall include adequate space within the public right of way for a transit stop along Holly Lane near the park and commercial parcels.

30. The applicant shall annex taxlot 2-2E-28D -00190 to the Metro boundary prior to a final plat involving all or part of that taxlot.

31. Driveways shall be limited to provide for the following on all local streets:
    a. No driveway approach, including wings, shall be more than 50% of the width of the lot.
    ~~b. Curb space for on-street parking shall be present on 50% or greater of the total block face. For example, for a block that is 400 feet long, 200 feet of curb space shall be available for on-street parking, with minimum on-street parking space measured at 22 feet of curb length.~~
    ~~c.~~b. Shared driveways may be utilized to meet these conditions
    ~~d.~~c. Alleys may be utilized as an alternative to driveways to meet these conditions

~~e.~~d. Alley width may be reduced to 12-foot one-way circulation, to reduce amount of impervious surface needed, if approved by the City Engineer.

32. At the time of DDP submittal for phase 1 the applicant shall propose landscape screening, retaining wall design, and sound buffering and / or sound walls to address vehicular light pollution and noise from proximity to Holly Lane for any existing lots in the Trailview subdivision within 50 feet of the new right-of-way of Holly Lane. For new lots in the proposed development, such measures may also include larger setbacks or reverse frontage lots and building designs.

Public Works Engineering Development Services Conditions of Approval:

33. The development plans shall comply with all current Oregon City Public Works design standards, specifications, codes, and policies prior to receiving a permit and beginning construction for each DDP. (DS)
34. Each DDP will further refine the stormwater management plans and reports of each phase and can be met by meeting approval criteria outlined in section 13.12.090 of this report. (DS)
35. The development plans shall comply with all Oregon City Public Works design standards, specifications, codes, and policies prior to receiving a permit and beginning construction. (DS)
36. At such time, a phase of development envelops the stream area (e.g. Phases 2, 4, and 5), the applicant shall obtain an appropriate DSL or USACE permit or provide evidence that one is not required. (DS)
37. With each phase of development, the applicant shall obtain an appropriate ODFW permit or provide evidence that one is not required. (DS)
38. The City of Oregon City has jurisdiction over Holcomb Boulevard where this development ties in as well as the proposed new streets within this development; however, Livesay Road and future connections to neighboring properties outside of the Urban Growth Boundary are under the jurisdiction of Clackamas County. Coordination and approval with Clackamas County for connections to Livesay Road and properties under their jurisdiction shall be evaluated as part of each DDP review.
39. The developer shall provide an engineered grading plan prepared by a professional engineer in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards with each DDP. (DS)
40. Street layouts and public improvements shall be re-reviewed with each phase of development during DDP review and shall follow the standards of OCMC 16.12 and 17.44 avoiding Geologic Hazard areas where necessary, creating a grid system, provide future connection points to neighboring properties, and providing a street layout acceptable to the City Engineer. (DS)
41. All public improvements along the Holcomb Boulevard frontage (e.g. right of way dedication, sidewalk construction, street trees, etc.) shall be designed and constructed in Phase 1 and reviewed as part of that DDP (DS)
42. The street proposed to serve development within Phase 6 is proposed to be a private street. It shall be further reviewed as part of the corresponding DDP review to determine construction feasibility, ownership and potential future connectivity to neighboring properties. (DS)

43. Any temporary (or permanent) dead-end streets created as part of the phased development approval shall include sufficient space and improvements necessary to accommodate a vehicular turnaround. (DS)
44. The City and Clackamas Fire District No. 1 shall review each DDP proposal to ensure that life safety requirements, including pavement widths, slope and grading requirements for the proposed streets, are met.
45. With Holly Lane designated as collector street, new driveways there are to be avoided as much as possible and instead driveway access should be ~~off of~~from local streets or alleys. Holcomb Boulevard as a minor arterial will have no new driveways. Instead access to properties shall be from rear alleys. Each phase shall identify proposed driveway locations for review of each DDP.
46. Where block lengths exceed 530 feet, e~~E~~ach DDP shall provide updated plans ~~with off street and bicycle~~pedestrian accessway locations ~~shall be~~ spaced at intervals not exceeding 330 feet ~~of frontage.~~ from the nearest street intersection. (DS)
47. With the street layouts and number of buildable lots subject to change, the locations of the pedestrian crossing points shall be further reviewed with each DDP per OCMC 16.12.032. (DS)
48. If it is determined through individual DDP review that additional transit improvements are needed, accommodation for such transit or alternative transportation facilities within each phase shall be proposed. (DS)
49. Clackamas County has provided conditions of approval to be implemented with different phases of the development. Because the proposed layout is preliminary and subject to change with future DDPs, the applicant shall coordinate these conditions with the City and County with each DDP. The public improvements on Livesay Road shall be further reviewed in more detail with each DDP but at a minimum, the Applicant shall address the following:
    A. All frontage improvements in, or adjacent to Clackamas County right-of-way, shall be in compliance with *Clackamas County Roadway Standards*.

    B. The applicant shall dedicate an additional approximately 15 feet of right-of-way along the entire site frontage of S Livesay Road and shall verify by survey that a 35-foot wide, one-half right-of-way width exists, or shall dedicate additional right-of-way as necessary to provide it.

    C. The following improvements will be required along the entire site frontage of S Livesay Road at the time of development of Phase 2, in accordance with Clackamas County Roadway Standards:
        (a) A 25-foot wide half-street improvement is required, constructed from centerline of the right-of-way. The structural section for S Livesay Road improvements shall be constructed per Clackamas County Roadway Standards Standard Drawing C100 for a collector roadway. Where widening is required, saw-cut and grind and inlay may be needed based on road condition, per Roadway Standards Section 225.5.
        (b) Standard curb, or curb and gutter if curbline slope is less than one percent, and pavement with the face of the new curb located 25 feet from the centerline of the right-of-way. Centerline of the right-of-way shall be established by a registered survey.
        (c) A minimum 7-foot wide unobstructed setback sidewalk shall be constructed along the frontage of the commercial sites on Tracts L and K. The remainder of the frontage a minimum 5-foot wide sidewalk shall be constructed.
        (d) A 5-foot wide landscape strip, including street trees shall be constructed along the entire site frontage.

(e) Drainage facilities in conformance Tri-City regulations and Clackamas Roadway Standards, Chapter 4.
(f) For the proposed public street intersection with S Livesay Road, construct dual curb ramps, per Oregon Standard Drawings.
(g) The intersection of Holly Lane with S Livesay Road shall be limited to gated emergency vehicle access only, with the gate approve by the Clackamas Fire District.

D. If full access to S Livesay Road from the Master Plan site is proposed at any one of the proposed phases, a supplemental TIS will be required evaluating the adequacy of the off-site portion of S Livesay Road and the intersection with S Redland Road. At a minimum, a paved road width of 20 feet will be required from the project site to Redland Road, and the roadway deemed adequate, or a determination that it can be made adequate through improvements to support traffic from the masterplan site. Approval of a Development Permit from Clackamas County Engineering will be required for access to S Livesay Road.

50. The applicant shall provide updated downstream capacity calculations with system capacity upgrades (if needed) at each DDP to confirm that the City's sanitary sewer system can safely handle each phase of the development.
51. Like the sewer system, the water system will be built overtime. Each DDP will confirm that the existing water systems (City and CRW) have capacity and sufficient available fire flows for each phase of development. Coordination with CRW will be required when elevations exist at or above elevation 434.(DS)
52. All new franchise utilities shall be placed underground and all existing overhead utilities adjacent to the property frontage, including the existing service lines crossing Holcomb Boulevard for 15110 S. Holcomb Blvd, shall be relocated underground unless deemed infeasible by the City and franchise utility provider(s) prior to platting for each DDP. (DS)
53. The applicant shall provide a hydrology report that addresses the effect of the stormwater outfall upon the local watershed with each DDP. The hydrology report must address the discharges erosion and landslide effect on the downhill slope, the stabilization of the uphill slope, and the environmental impact on the downhill slope as well as how the underground aquifers will be maintained. (DS)
54. The final alignment of the proposed streets and the number of buildable lots located in the geological hazard areas shall be further reviewed as part each phase's DDP to ensure minimal impact to the geological hazard areas. (DS)
55. As part the DDP review, the applicant shall further refine the number of lots proposed within the geologic hazard areas to meet the City's density requirements. This may include identifying lots as unbuildable as green space or modifying the size of the lots to reduce the density. (DS)
56. ~~Left turn lanes will be needed at the intersection of the future Holly Lane and Holcomb Boulevard. While that intersection is not a part of this GDP, right-of-way dedication shall be further reviewed in Phase 1 DDP to determine if the appropriate amount of right-of-way is provided for the necessary left turn lanes~~Further traffic analysis shall be provided for the intersection of Holly Lane and Holcomb Boulevard to determine the appropriate amount of right-of-way at that intersection and its approach south into the site along Holly Lane. This shall be reviewed as part of the Phase 1 DDP. (DS)

~~57. Future Type III Master Plan refinement review to address the multiple outstanding discretionary issues listed below shall be accomplished before or as part of each Detailed Development Plan review:~~

~~a. A feasibility study addressing how a street connection from the development site to Redland Road would be provided.~~

~~b. How the applicant will achieve a balance between urban design and the natural topography of the site, if retaining wall heights over 3.5 feet are proposed~~

~~c. Analysis of alley feasibility/practicability and mitigation where alleys are not proposed~~

~~d. Local street connectivity and block lengths~~

~~e. Density and increases to the total number of units~~

~~58.~~57. The applicant shall provide one of the following options as additional mitigation for the proposed density variance and dimensional adjustments:

a. Preserve one or more of the wetlands as open space (sized at least 7,000 square feet)
b. Expand the dedicated land for the public park site to at least 5 acres, from the currently-proposed 4.3 acres, and include wildlife habitat features such as ponds or native plant zones within that additional acreage
c. Design the proposed stormwater detention facility(ies) as a wetland, rather than a traditional fenced storm pond. At least half of the proposed water quantity proposed to be detained shall be detained in a wetland-style facility.

~~59.~~58. Although vehicular access to Livesay Road will be blocked by an emergency access gate, paved bike and pedestrian access from Holly Lane to Livesay Road shall be provided.

PROCESS TO DATE:

The public hearing for this application first opened on April 25, 2022, with continuances to May 9, 2022, May 23, 2022, July 11, 2022, July 25, 2022 and August 22, 2022.

The applicant has granted a thirty-day extension of the decision deadline, which is currently September 23, 2022, to October 23, 2022.

At the each of the hearings listed above, additional questions and concerns were raised, many of which were voiced repeatedly. These concerns included:

- How the proposed General Development Plan complies with the density requirements of the Park Place Concept Plan and the minimum and maximum density requirement of the zoning code.
- The phasing and mechanism for when and how the Redland Road connection will be made.
- How the proposed park realignment and new layout for Neighborhood Commercial areas complies with the Park Place Concept Plan.
- The timing for the requirement for a new local road connection east of Holly Lane.

- The design of the cross section of Holly Lane at the pinch point and concerns regarding noise, grading and buffering from adjacent Trailview Estates residents.
- Engineering staff input regarding the geologic hazard slope stability and conditions and differences between in the North and South Village areas of the concept plan.
- Discussion of how lots will be sized to better blend with adjacent development and protect existing surrounding residents.
- Sight distance concerns for the Holly Lane extension to the north realignment and concerns over steep slopes and impeded vision along the "S" curve.
- An explanation from the City Attorney concerning *Baker v. City of Milwaukie* and the relevance to this land use review.
- Revised conditions of approval.

At the July 11, 2022, the applicant presented a revised proposal to address concerns expressed in prior hearings by members of the public, staff, and the Planning Commission. The applicant submitted a revised proposal that addresses four areas:

1. An extension of Holly Lane to Holcomb Blvd
2. Reconfiguration of the proposed portion of the Community Park located at the southwest corner of the Master Plan area.
3. A second street connection to provide additional connectivity to Livesay Rd.
4. A plan that would prevent 2,000 average daily trips (ADT) on Winston Drive, Cattle Drive, Shartner Drive, and Street A.

Summary of Revisions submitted 8/11/2022

With the revisions submitted on 8/11/2022, the applicant has proposed several changes from the original proposal. This reduces the overall density of the Park Place Crossing project from the original proposal of 476 units:

- 426 total housing units.
    - 287 single-family detached dwelling - 65 %
    - 139 single-family attached dwellings – 32%
    - 14 units of Mixed Use – Apartments – 3%.
- The revision no longer includes a density increase permitted through General Development Plans per OCMC 17.65.070.C.4. The density of the project was adjusted by making the following considerations:
- Larger lots at least 10,000 square feet in area where the development abuts existing residential subdivisions and open space.
- The number of lots in phase 1 has been reduced from 59 to 49 units.
- Paired townhomes have been added to phase 1. To adjacent properties, these units would appear similar to a single family detached residence. This also brings diversity in housing types and the opportunity for more affordable homes to be provided in Phase 1.

- Alleys. Where feasible, the applicant has added alleys to allow additional homes to provide rear access. Perimeter lots, because they abut either natural areas or existing homes, and lots in areas with topographic constraints have not been planned with alley access. The addition of these alleys will reduce the number of driveways accessing local streets.
- The Mixed Use/Civic/Village Green area has been revised to three parcels of 0.51 acres, 0.56 acres and 1.26 acres (total 2.43 acres), bisected by an additional local street to provide a continuous corridor for the Livesay Main Street area, to provide additional transportation connectivity that better integrates this area with the Park Place Crossing neighborhood and future Park Place North Village areas.
- The opportunity for additional affordable attached single- family housing and other residential use types (e.g., those within Neighborhood Commercial areas).
- A future public park site of 4.3 acres. The park site has been reconfigured and although .1 acres smaller than originally proposed, provide sufficient land in proportion with the number of units proposed within the development.

This report reflects revisions submitted by the applicant on 8/11/2022 and the recommended finding and conditions of approval herein have been revised to reflect the revised submittal.

I. BACKGROUND:

The subject site includes 92 acres of land identified as the "north village" in the Park Place Concept Plan. The property was annexed and assigned zoning in 2018 through AN-17-04 and ZC 17-05; this application for a General Development Plan is the next step in the development of this site. One of the conditions of approval imposed by the city on the approved annexation request was that the applicant obtain General Development Plan approval for the 92-acre area prior to any urban development on the site.

This land-use application is a request to approve the General Development Plan (GDP). The GDP will be subsequently implemented through future detailed developed plans that will be guided by this GDP. Once approved, the GDP guides future development within the master plan area to assure long-term regulatory certainty and a high level of predictability for future tenants and developers within the master plan area as well as the community. The GDP provides a framework for development within the master plan area over the next 20 years, although the applicant anticipates completion by 2030.

This application includes requests for the following approvals:

- **General Development Plan**: The overall long-term approach to development over 20 years for up to 426 residential units.
- Parks, trails, and neighborhood commercial and civic spaces. Included in the request for GDP approval is:
    - A modification to street width standards for a limited segment of Holly Lane
    - Adjustments to the following development standards:
        - OCMC Chapter 17.08.040 and 17.10.040 Dimensional Standards
        - OCMC Chapter 17.21.090.A for garage placement and design
        - OCMC Chapter 17.08.050 and 17.20.050 Density Standards

- **Variance:** Request to reduce the minimum lot size for attached single family lots to 1800 square feet.

REGIONAL PLANNING

The Park Place Concept Plan was adopted to comply with Title 11 of the Metro Urban Growth Functional Management Plan (Sections 3.07.1105 – 3.07.1140) – *Planning for New Urban Areas.* Oregon City is part of the Metro Urban Growth Boundary. Title 11 guides planning of areas brought into the urban growth boundary for conversion from rural to urban use. This is a principal component of Oregon's Land Use Planning system, which protects rural land, farm and forest uses from development by requiring that land uses within urban growth boundaries develop at urban densities, rather than allowing growth to "Sprawl" into unincorporated areas.

The Park Place Concept Plan "PPCP" (Adopted March 12, 2008) integrates a multi-modal transportation system with a mixed-use development pattern to achieve a highly efficient and sustainable design. The PPCP identifies a network of internal and external pedestrian, bicycle, transit and street connections that serve the study area and connect it to the surrounding community and the broader region. The Concept Plan was developed through an extensive interactive public process, guided by a Project

Advisory Committee comprised of neighbors, stakeholders, business owners and City residents. An extensive public hearing process before the Oregon City Planning Commission and City Commission occurred prior to final adoption of the Park Place Concept Plan.

The Park Place Concept Plan's Figure 3-2 "North Village Neighborhood", bears a note stating, "This map is for concept planning purposes only. The specific locations of natural resource boundaries, open space, parks, land uses, roads, trail, infrastructure and related improvements may change and is subject to on-site verification and design at the time of development." The Park Place Concept Plan is an ancillary document to the City's Comprehensive Plan.

1. Existing Conditions

The project site is within the northeast portion of Oregon City. The site is generally situated south of Holcomb Boulevard and north of S Livesay Road between the Park Place neighborhood and the City's eastern edge as well as the Metro Urban Growth Boundary (UGB). The site is currently made up of 14 properties that are expected to be included part of the Park Place Crossing development in the future. The fourteen properties included in this application
comprise a total area of ±91.7 acres.

Properties within Park Place Crossing are zoned Medium Density Residential (R-5), Low Density Residential (R-10), and Neighborhood Commercial (NC). The site, summarized below, contains six existing Single-Family Residences, some of which may be removed as their respective phases of the project are completed.

Properties to the south, but outside the Park Place Crossing Master Plan proposal, are located within the UGB as well as the Park Place Concept Plan. These properties have not yet been annexed but would be expected to annex and develop over time in accordance with the Park Place Concept Plan. These lands are designated with future land uses of Mixed Use Corridor (MUC) and Low Density Residential (LR). Properties to the southeast of the site are located within the Holcomb Urban Reserve outside of the UGB.

Existing uses within this area generally consist of rural single-family residences. Properties to the north of the project site are generally zoned Low Density Residential (LR) and are located within the Park Place Neighborhood Association.

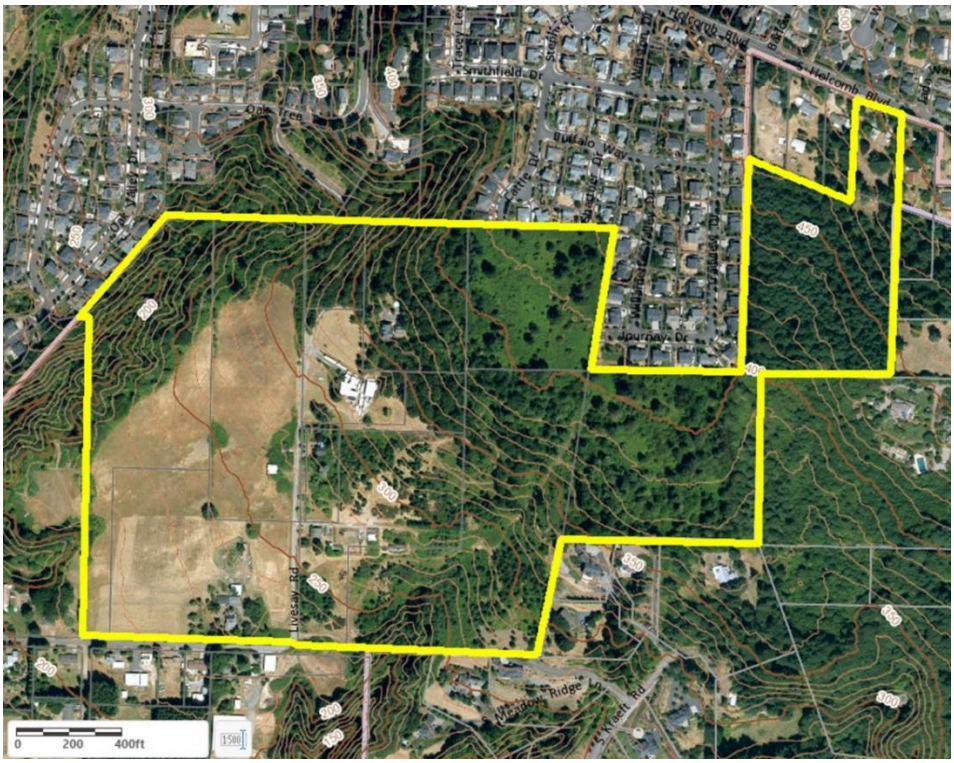


Figure 1. Vicinity Map

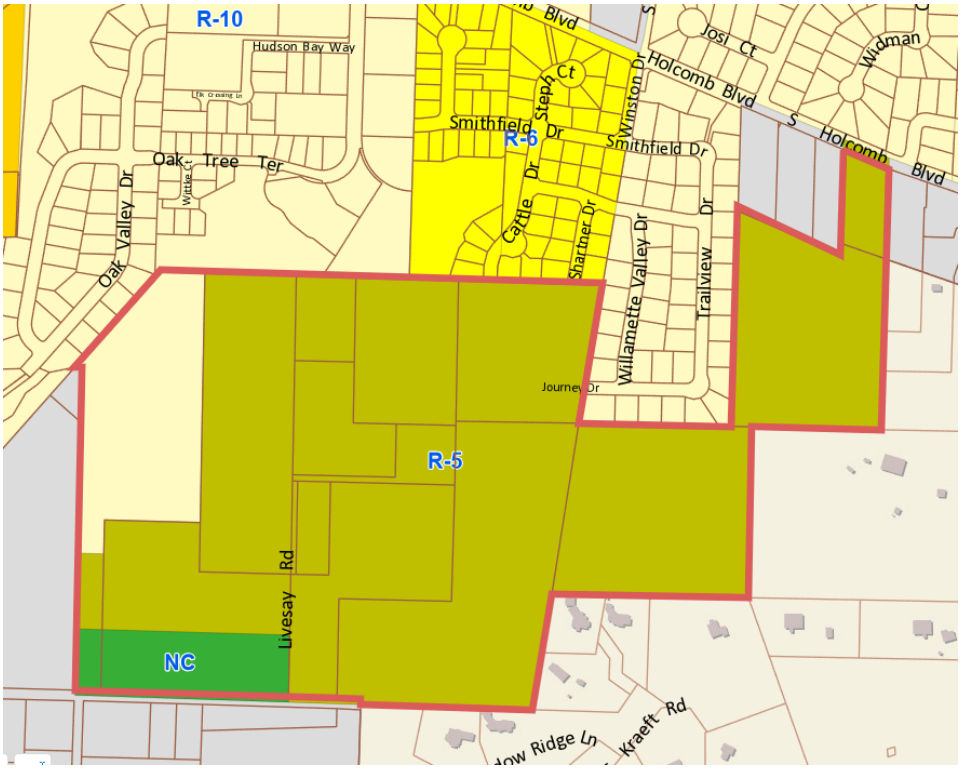


Figure 2: Zoning Map

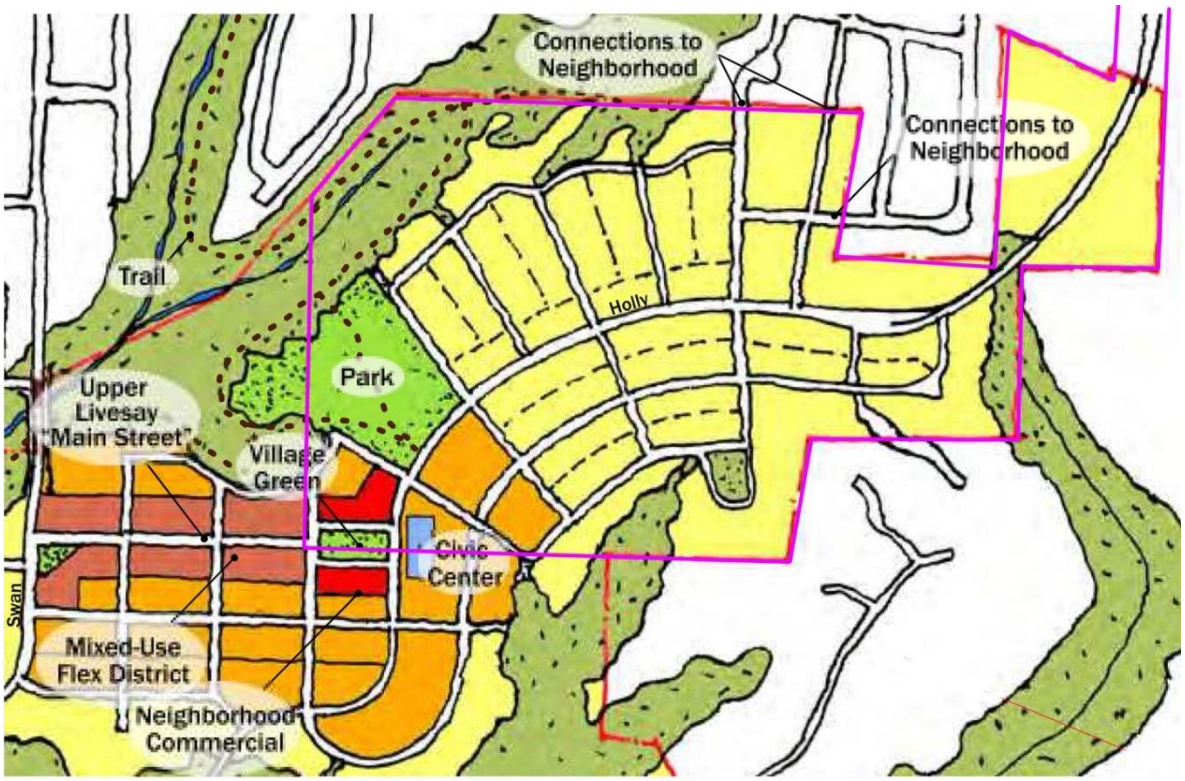


Figure 3. Park Place Concept Plan excerpt

2. Project Description

Summary of Revisions submitted 8/11/2022

- With the revisions submitted on 8/11/2022, the applicant has proposed a General Development Plan for 92 acres of the Park Place Concept Plan area with the changes from the original proposal. 426 total housing units. Of these, single-family detached dwelling units represent 65 percent of homes within Park Place Crossing and 32 percent of homes are planned to be provided as single-family attached dwelling units. Because attached dwellings are considered with different density standards than single-family detached dwellings, the addition of paired townhomes and the consolidation of lots (described below) reduces the overall density of the Park Place Crossing project from the original proposal of 476 units.
- The remaining 3 percent of homes (14 multi-family units) have been shown as provided within the Neighborhood Commercial zoning area for a total of 440 residential dwelling units.
- Larger lots where the development abuts existing residential subdivision. The number of lots in phase 1 has been reduced to 59 units.
- Paired townhomes have been added to phase 1. These units have the added benefit of adding only one residential building with two units rather than two individual homes. To adjacent properties, these units would appear similar to a single residence. This also brings diversity in housing types and the opportunity for more affordable homes to be provided in Phase 1.
- Addition of Alleys. Where feasible, the applicant has added alleys to allow additional homes to provide rear access. Perimeter lots, because they abut either natural areas or existing homes, and lots in areas with topographic constraints have not been planned with alley access. The addition of these alleys will reduce the number of driveways accessing local streets, providing greater

opportunities for planter strips and on-street parking while reducing the number of pedestrian/vehicle conflicts, meeting the intent of the Park Place Concept Plan.

Other Layout Changes with 8/11/2022 Revisions:

- The Mixed Use/Civic/Village Green area has been revised to three parcels of 0.51 acres, 0.56 acres and 1.26 acres (total 2.43 acres), bisected by an additional local street to provide a continuous corridor for the Livesay Main Street area, updated to include only uses permitted within the Neighborhood Commercial zone, and provide additional transportation connectivity that better integrates this area with the Park Place Crossing neighborhood and future Park Place North Village areas.
- The opportunity for additional affordable attached single- family housing and other residential use types (e.g., those within Neighborhood Commercial areas).
- A future public park site of 4.3 acres. The park site has been reconfigured and although .1 acres smaller than originally proposed, provide sufficient land in proportion with the number of units proposed within the development.

Items included with the original proposal:

- Construction of a segment of Holly Lane, a planned collector street
- Approximately 1.3 acres of commercial/civic space provided in two parcels
- An off-street trail system within protected natural areas
- A variance to 17.10.040.D for lot size for single family attached lots

OREGON CITY
Community Development – Planning
695 Warner Parrott Road | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

Phasing Summary
The applicant's original phasing summary has not been revised to reflect the latest revision. The original submittal provided the following phasing summary:

Table 2: Park Place Crossing Anticipated Phasing

Phase	Dwelling Units / Anticipated Uses	Open Space (acres)	Amenities
1	±59 single-family detached homes	±0.14	Open Space and street connections to areas of future development
2	±133 single-family detached homes ±126 single-family attached homes Civic area Retail area Regional stormwater facility	±6.52	Park, civic space, retail area, trails & connection to existing neighborhoods, pedestrian pathways, Open Space Tracts
3	±59 single-family detached homes	±0.00	Street connections to existing neighborhoods
4	±53 single-family detached homes	±7.58	Pedestrian pathways, trails, Open Space
5	±35 single-family detached homes	±1.49	Pedestrian pathways, trails, Open Space
6	±11 single-family detached homes	±0.00	Trail connections & street connections to future UGB expansion area

Phase 1 is anticipated to be constructed in 2023, with completion of Phases 2 through 6 accomplished by 2030. Detailed Development Plan applications are anticipated to be submitted at a future date following approval of the General Development Plan.

The applicant's original project description is as follows:

> *"The Park Place Crossing Master Plan (PPCMP) sets up a framework consistent with the PPCP and builds on the following planned and natural elements:*

• ***Community Park:*** *The southwestern portion of the site is part of an envisioned Park Place North Village Community Park. This community park would provide ±4.4 acres for the provision of potential sport fields/courts, open lawn areas, and trails. The park will connect to natural preservation areas to the north and to other neighborhoods through its proximity to Holly Lane and S Livesay Road and pedestrian connections to adjacent on and off-street trails. The land reserved for the Community Park is located on one of the flattest and most suitable portions of the site for a park. It is also located near other properties which can feasibly connect to and provide additional park area needed for the Park Place Concept Area. Per discussions with the City, the Park Place Crossing project is expected to provide a proportional percentage of park land envisioned in the Concept Plan for its residents. Approximately 51 percent of the planned dwelling units for the Park Place Concept Area North Village are included in this master plan (±476 planned PPC units/937 total North Village units). The Community Park represents ±8 acres; therefore, Park Place Crossing would be expected to contribute ±51 percent of the needed area or ±4.0 acres. This application for General Development Plan anticipates that ±4.4 acres will be contributed for park land. Technical details for how the park land will be acquired/transferred are being coordinated with the City of Oregon City Parks Department.*

• ***Village Green:*** *A village green, with no specified size, was envisioned by the PPCP at the terminus of S Livesay Road and Holly Lane. This area is intended to anchor the intersection of Holly Lane and the future Livesay Road Main Street, providing the Park Place neighborhood with pedestrian scale lighting, street trees, and benches for the enjoyment of visitors. It is infeasible, however, to achieve the full intent of the PPCP Village Green due to the existing extension of S Livesay Road to serve existing, offsite properties to the southeast of the planned intersection between S Livesay Road and Holly Lane. Until such time those properties develop and S Livesay is vacated east of its intersection of Holly, the envisioned Village Green cannot be achieved. In the interim, Park Place Crossing will meet the amenity need that the Village Green is intended to provide by utilizing the existing terminus of S Livesay Road to serve as a trailhead for City trailways through the natural areas adjacent to the Tract G stormwater facility.*

• ***Mixed-Use/Neighborhood Commercial/Civic Areas:*** *The Park Place Concept Plan envisions retail areas to support both the North and South Villages. Within Park Place Crossing, these areas are anticipated to be needed for small-scale commercial businesses such as coffee shops, bookstores, dry cleaners, or cafés. These areas could also be used for services serving the immediate community such as local offices for medical offices, insurance brokerages, and realty companies.*
The Mixed-Use Commercial (MUC)/Neighborhood Commercial (NC) Area is anticipated to provide an upper-story residential component as outlined within the Oregon City Municipal Code. The location of Park Place Crossing's commercial area was determined by the conceptual location of the Livesay Road Main Street Area within the Park Place Concept Plan. The Park Place Concept Plan imagines this area to be near the intersection of Holly Lane and S Livesay Road. The Civic area was envisioned to serve as the location of a library, community center, environmental interpretive center, or post office. The proximity of the area to the Village Green, local trailhead, regional stormwater facility, and natural areas, lends to this area being created as a plaza or interpretive center.

Open Space Preserving Natural Areas and Drainageways: *The site is located between Tour Creek to the north and west of the site and Charman/Abernethy Creek to the south. These areas include sloped and vegetated areas associated with these drainage features. By incorporating progressive planning concepts such as flexible standards and varying lot sizes into the project design, a significant amount of land is being set aside as open space for resource protection, greater than the quantity shown and required by the Park Place Concept Plan.*
Other internal open space areas provide for active and passive recreation for residents and visitors through pedestrian pathways, open areas, seating, and other similar amenities.

• ***Trails Network:*** *The Applicant and PPCP seek to recognize these natural resources and the opportunity to connect residents, visitors, and new and existing neighborhoods to these resources through the inclusion of an interconnected network of trails within the open space areas. These trails, including local and community trails, are consistent with the City's adopted Trails Master Plan and help provide opportunities for residents and visitors to engage in active and passive recreational pursuits, surround homes with areas of green space, and preserve habitat for native flora and fauna.*

• ***Interconnected Transportation Network:*** *Consistent with the City of Oregon City's Transportation System Plan (TSP), Park Place Crossing will be served by a comprehensive transportation network connected to Holly Lane, which serves as the Park Place Crossing community backbone. The transportation system features a new City Collector Street (Holly Lane), a grid of Local Streets, and off-street trails and pedestrian pathways. Pedestrian pathways, off-, and on-street trails include both hard and soft-surfaced linkages within Park Place Crossing and between the community and those surrounding. Many of the homes along Holly Lane are anticipated to be served by alleys to aid in circulation and minimize vehicle conflicts. Holly Lane will eventually connect to S Holcomb Road via a roundabout, with temporary connection provided by "Street A."*

Per the City's Transportation System Plan (TSP) and the attached Transportation Impact Study (TIS) (Exhibit E), the project will provide public improvements including the dedication and construction of a new Collector Street with interconnected Local Streets that, upon their extension, are able to enhance neighborhood circulation; provide needed/secondary access to the project and surrounding neighborhoods; and proportionate share payments to be directed towards future intersection improvements identified by the City's TSP. The system is designed to welcome pedestrians, bicyclists, motorists, and public/emergency services and provide safe and efficient connections to surrounding areas.

Regional Stormwater Management and Green Streets: *The Park Place Concept Plan envisions stormwater infrastructure that mimics existing hydrology, provides innovative and green on-site stormwater treatment, and implements techniques to attenuate flow rates and provide for pollution control/reduction. Together with these features, a regional stormwater facility is planned for Park Place Crossing in order to manage stormwater.*

Housing: *The Park Place Crossing Master Plan area includes ±476 lots intended for future single family homes. This represents ±51 percent (±476 GDP-planned units of the 936 intended units) of the units anticipated for the North Village by the PCCP. An additional lot may be possible following the connection of Holly Lane to S Holcomb Boulevard. A diverse range of lot sizes are planned that can accommodate a mix of home sizes and styles, as well as detached and attached housing types, appealing to a broad variety of people.*

Note: with the proposed 8/11/2022 revision, the proposal has been reduced to 426 units.

Approximately 4.3 additional acres, for a total of ±15.7 acres, of Park Place Crossing are planned to be reserved as open space for the conservation of sloped and vegetated areas, greater than the ±11.4 acres of open space envisioned by the Park Place Concept Plan. Space for a regional stormwater facility will be reserved as well, totaling almost two acres of area. Retail and Civic areas are generally consistent with what was originally envisioned, with opportunities for other properties south of S Livesay Road to contribute to the Livesay Road Main Street area. The planned Village Green contained within the bounds of the project site is also consistent with the area imagined with the Concept Plan.

This application for a General Development Plan, required by the City Commission as a condition of approval of the site's annexation, does not involve any physical site alterations. Information provided as part of this application is preliminary in nature and will be further refined as part of future Detailed Development Plan applications, where changes or improvements may occur. The Master Plan is consistent with the Park Place Concept Plan and Oregon City Municipal Code (OCMC). This application includes the City forms, written materials, and Preliminary Plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of the application."

Figure 4: Proposed General Development Plan as submitted.

Note: With the proposed 8/11/2022 revision, this layout has changed. See "Summary of Revisions submitted 8/11/2022" on pages 15 and "Project Description" on page 19.

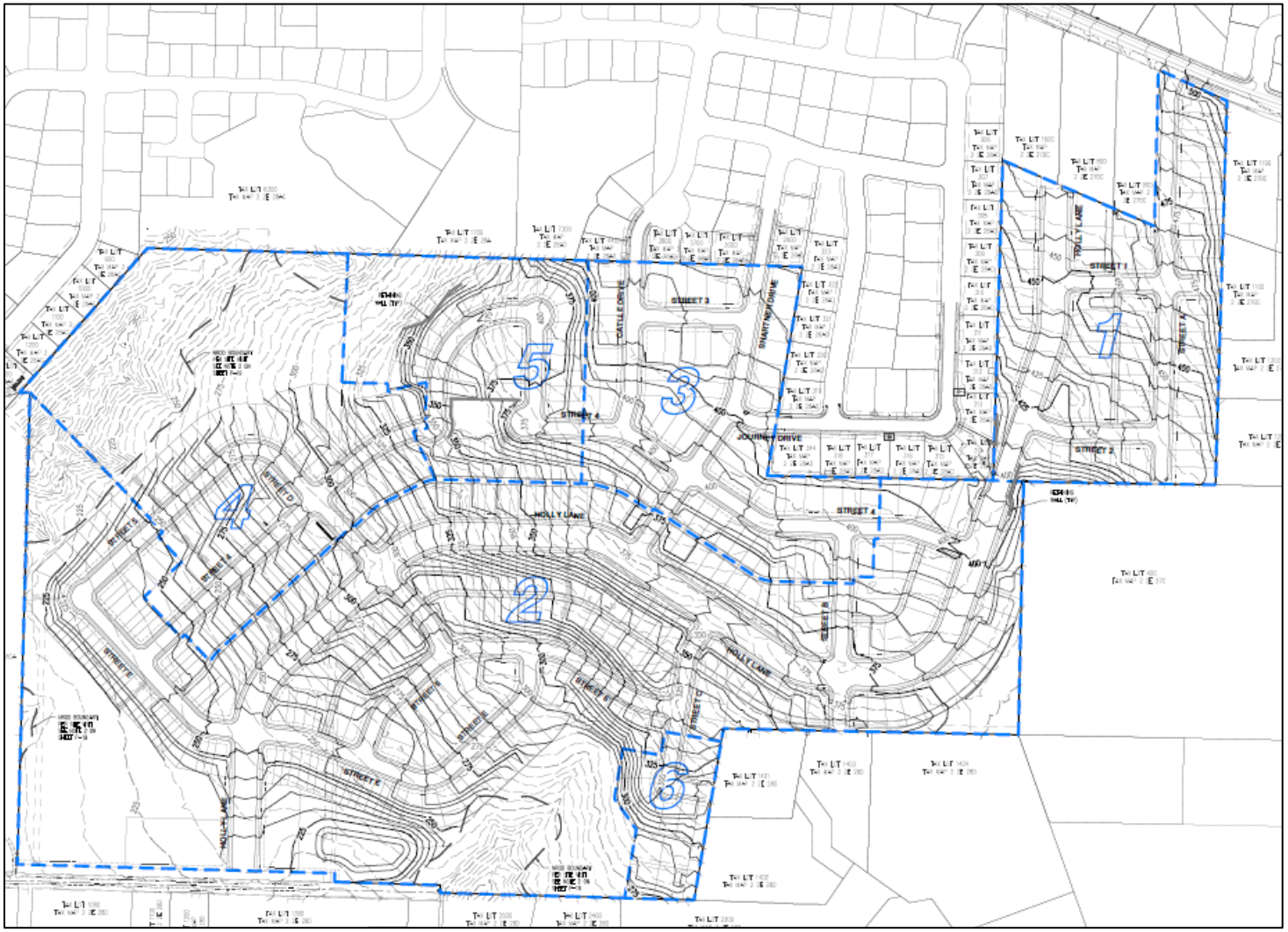


Figure 5. Proposed Phasing Plan as submitted

Note: With the proposed 8/11/2022 revision, this layout has changed. See "Summary of Revisions submitted 8/11/2022" on pages 15 and "Project Description" on page 19.

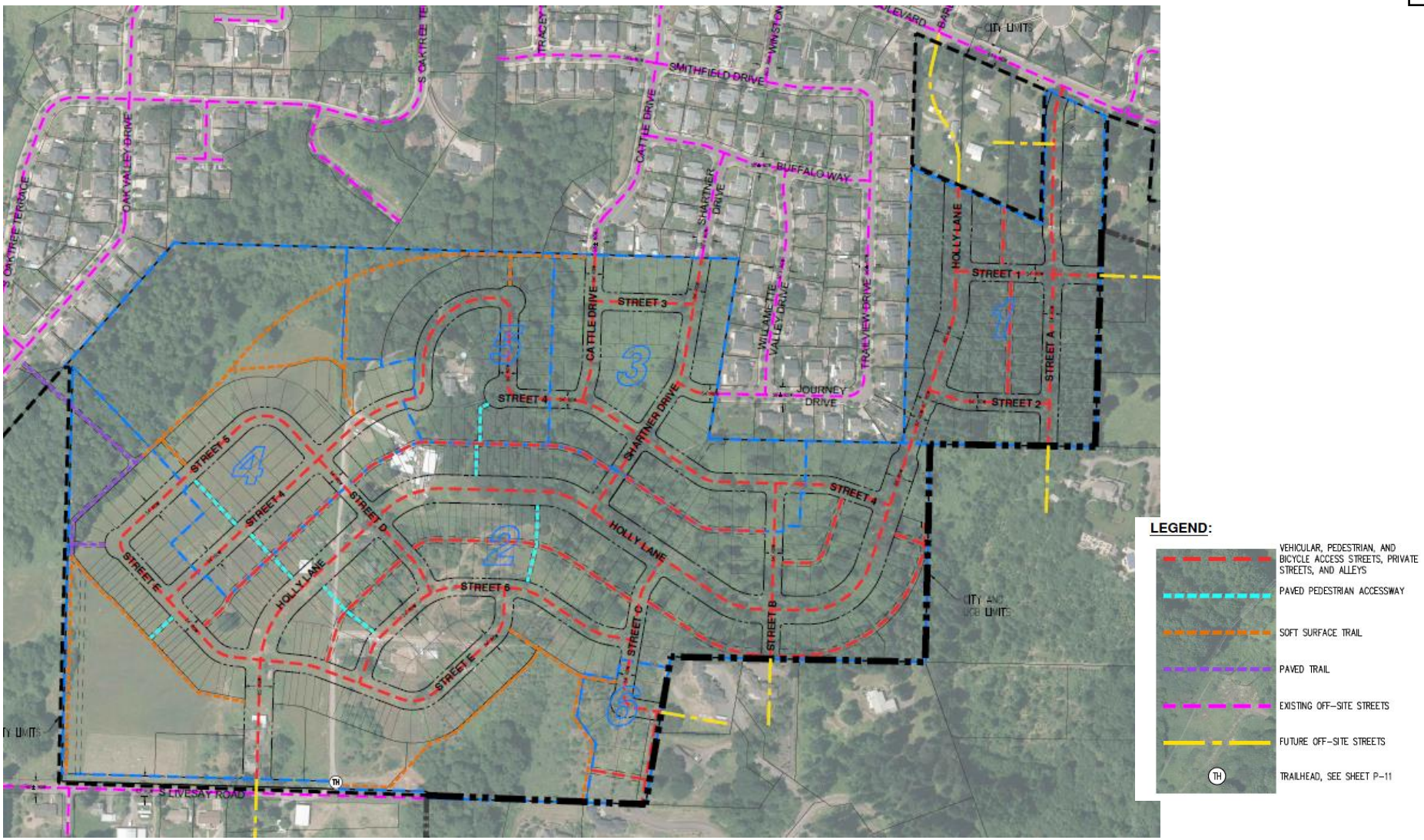
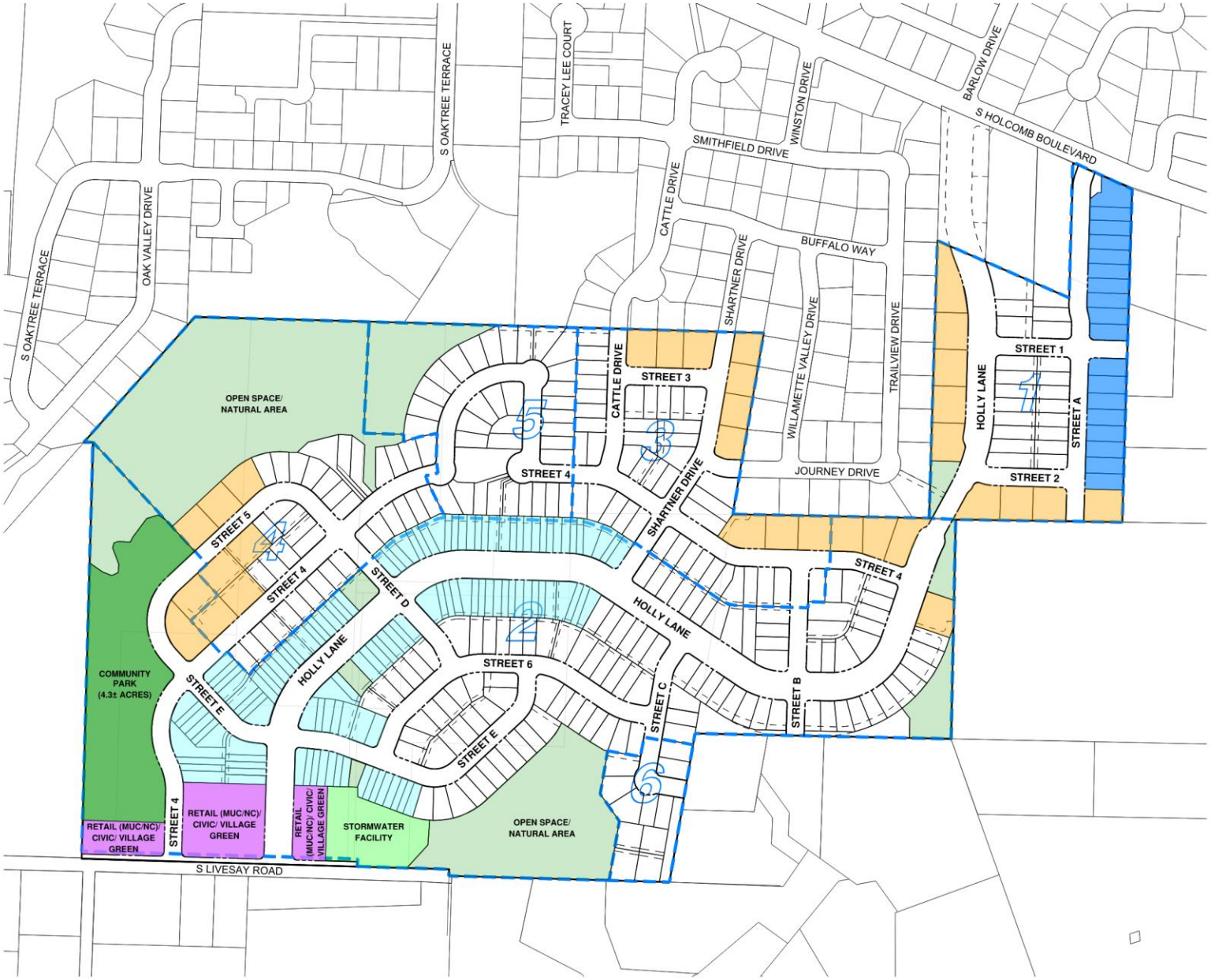


Figure 6. Proposed Circulation Plan as submitted

Note: With the proposed 8/11/2022 revision, this layout has changed. See "Summary of Revisions submitted 8/11/2022" on pages 15 and "Project Description" on page 19.



UNIT TYPE LEGEND:

- LOTS CONSOLIDATED AND INCREASED IN SIZE TO MATCH EXISTING ADJACENT PROPERTY LINES, INCREASE TO 10,000 SQ FT WITHIN R-10 ZONE, AND LIMIT NEW LOTS ON PERIMETER OF DEVELOPMENT
- TOWNHOME LOTS
- PAIRED TOWNHOMES LOTS

PARK PLACE CROSSING RESIDENTIAL UNITS

UNIT TYPE	UNITS
PAIRED TOWNHOMES	18
TOWNHOMES	121
4-5K SQ FT DETACHED	255
>5K SQ FT DETACHED	32
MIXED-USE (APARTMENT)	14
TOTAL	440

PARK PLACE CROSSING PROPORTIONALITY TO PARK PLACE CONCEPT PLAN NORTH VILLAGE

PPCP NORTH VILLAGE TOTAL UNITS	937
PPC TOTAL UNITS	440
PERCENTAGE OF PPCP NORTH VILLAGE	47.0%
TOTAL PPCP NORTH VILLAGE PARK (ACRES)	8
PPC PROPORTIONAL PARK REQUIRED (ACRES)	3.8
*PPC DEDICATED PARK (ACRES)	4.3
REIMBURSED PARK (ACRES)	0.5

* IN ADDITION TO 15.3 ACRES OF OPEN SPACE

PHASED UNIT TYPE AND OPEN SPACE SUMMARY:

PHASE 1:
- SINGLE FAMILY DETACHED: 31
- SINGLE FAMILY ATTACHED: 18
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 0.2± ACRE

PHASE 2:
- SINGLE FAMILY DETACHED: 114
- SINGLE FAMILY ATTACHED: 121
- MIXED-USE (APARTMENTS): 14
- OPEN SPACE: 6.1± ACRE

PHASE 3:
- SINGLE FAMILY DETACHED: 52
- SINGLE FAMILY ATTACHED: 0
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 0.0± ACRE

PHASE 4:
- SINGLE FAMILY DETACHED: 44
- SINGLE FAMILY ATTACHED: 0
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 7.6± ACRE

PHASE 5:
- SINGLE FAMILY DETACHED: 35
- SINGLE FAMILY ATTACHED: 0
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 1.5± ACRE

PHASE 6:
- SINGLE FAMILY DETACHED: 11
- SINGLE FAMILY ATTACHED: 0
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 0.0± ACRE

TOTAL:
SINGLE FAMILY LOTS: 426
RESIDENTIAL UNITS: 440
SINGLE FAMILY DETACHED UNITS: 287 (65%)
SINGLE FAMILY ATTACHED UNITS: 139 (32%)
MIXED-USE (APARTMENT) UNITS: 14 (3%)
OPEN SPACE: 15.3± ACRE

N

SCALE: 1" = 150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

Figure 8. EXH-1 Park Place Crossing Layout Revision Exhibit. Submitted 8/11/2022.

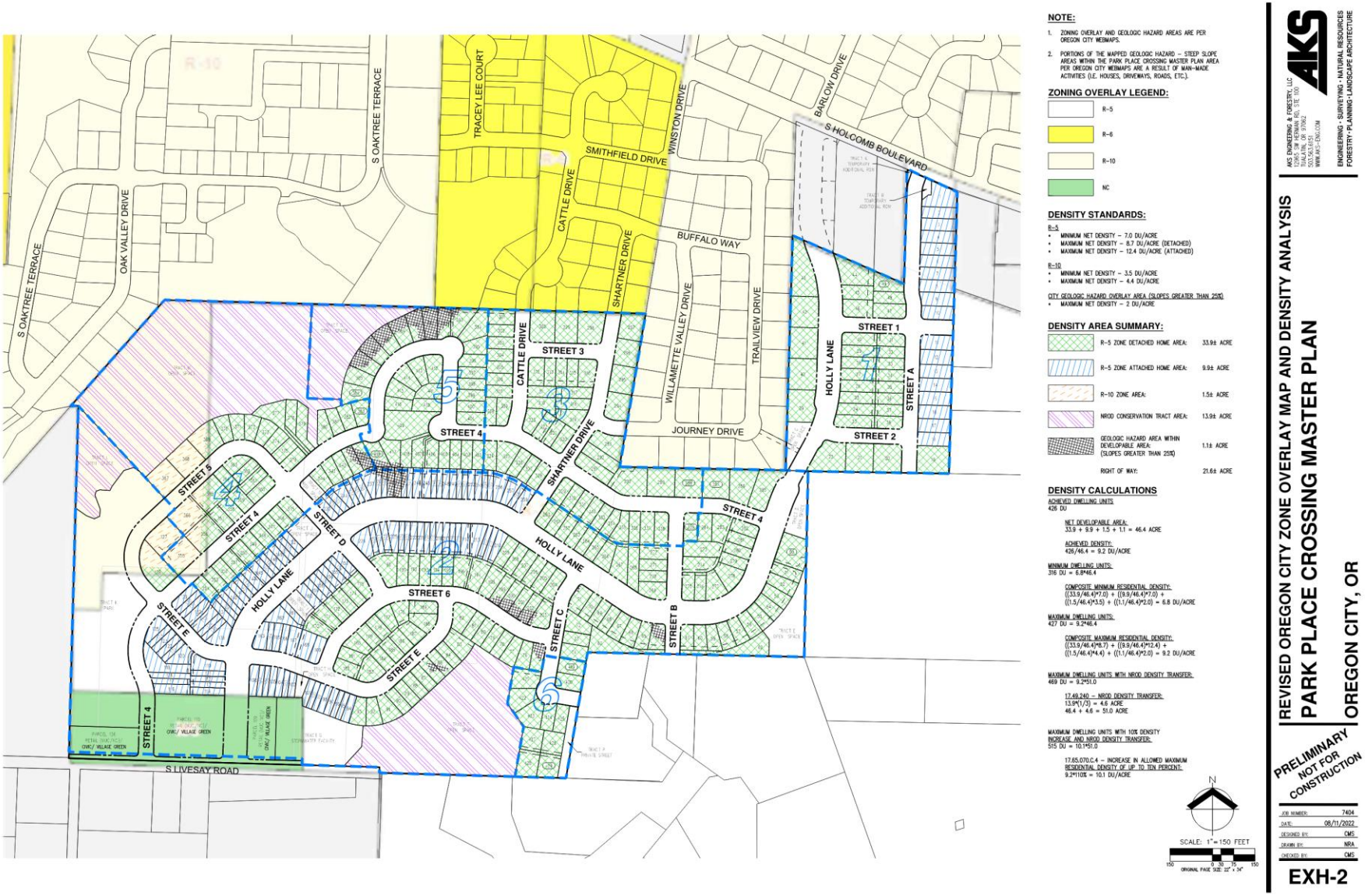


Figure 9. EXH-2. Revised Zone Overlay Map and Density Analysis. Submitted 8/11/2022

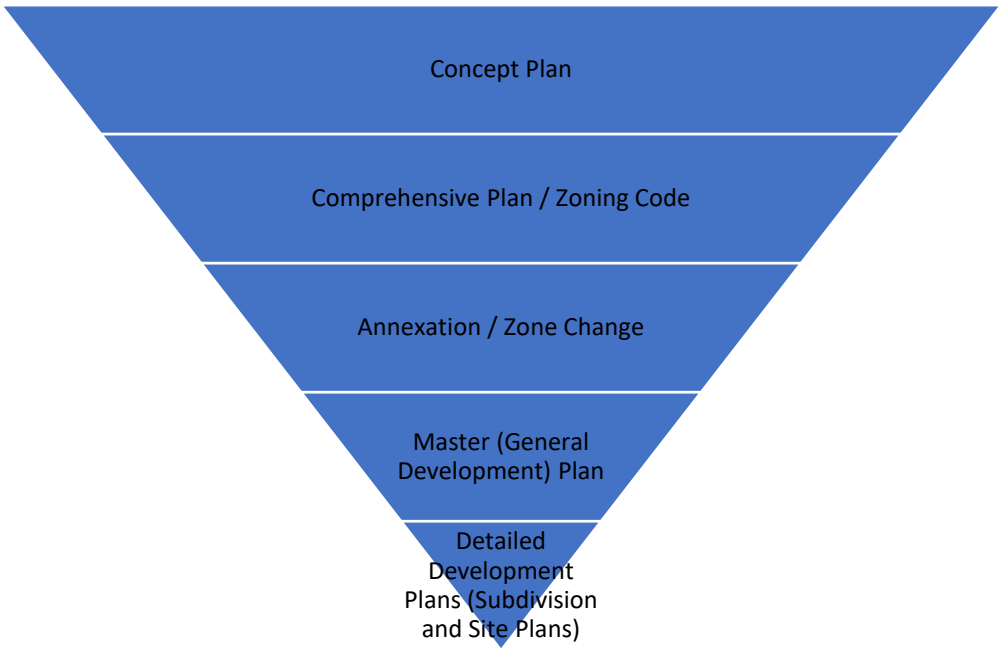
Staff Overview of Major Project Topics, Decisions

The applicant has submitted for a General Development Plan that will govern the development of the site over time through the approval and development of future Detailed Development Plans (DDP) onsite. No development is authorized as part of this application.

The applicant has submitted a proposal that generally meets the intent of the Park Place Concept Plan and the Oregon City Municipal Code. The applicant has requested three Master Plan adjustments onsite and variance review for attached housing lot sizes within the R-5 zone. Staff has reviewed the proposal for compliance with the applicable standards, goals and policies and has identified proportional mitigation and phasing conditions that enable the project to meet or exceed those standards and goals.

PROCESS

The development application reflects the efforts, policy, and zoning requirements of previous legislative decisions and in order talk about the current proposal it is necessary to start with the high-level planning and filter down to the specific code requirements. The order of planning efforts and decisions is as follows: Concept Plan, Comprehensive Plan, Annexation / Zoning designation, followed by Master Plan (aka General Development Plan), and Detailed Development Plans.



This approval sets a framework approach to implementation of the plan through future development applications at the Type II Detailed Development Plan (DDP) level through the use of clear and objective conditions of approval and the ability to use the July 20, 2021 Municipal Code at time future DDP land use submittal. This approach allows staff, the applicant, and the public a clear road map for what is required, and clearly specifies the level of review needed for design revisions.

The Master Plan approval is a land-use action that approves the General Development Plan uses and development approach based on the requirements set forth in OCMC 17.65 Master Plans and implemented through conditions of approval that are proportional to the proposal.

All permitted uses in each of the three zones (R-10, R-5, and NC) are allowed within the area subject to the Master Plan. Additions to or removal of uses listed in the Applicant's submittal shall not in themselves constitute a need for an amendment to the Master Plan unless the addition or revision triggers a need for an amendment through a Condition of Approval or OCMC 17.65.080 Amendments to Plans.

Detailed development plan phase boundaries are understood to be approximate and are subject to change in the future.

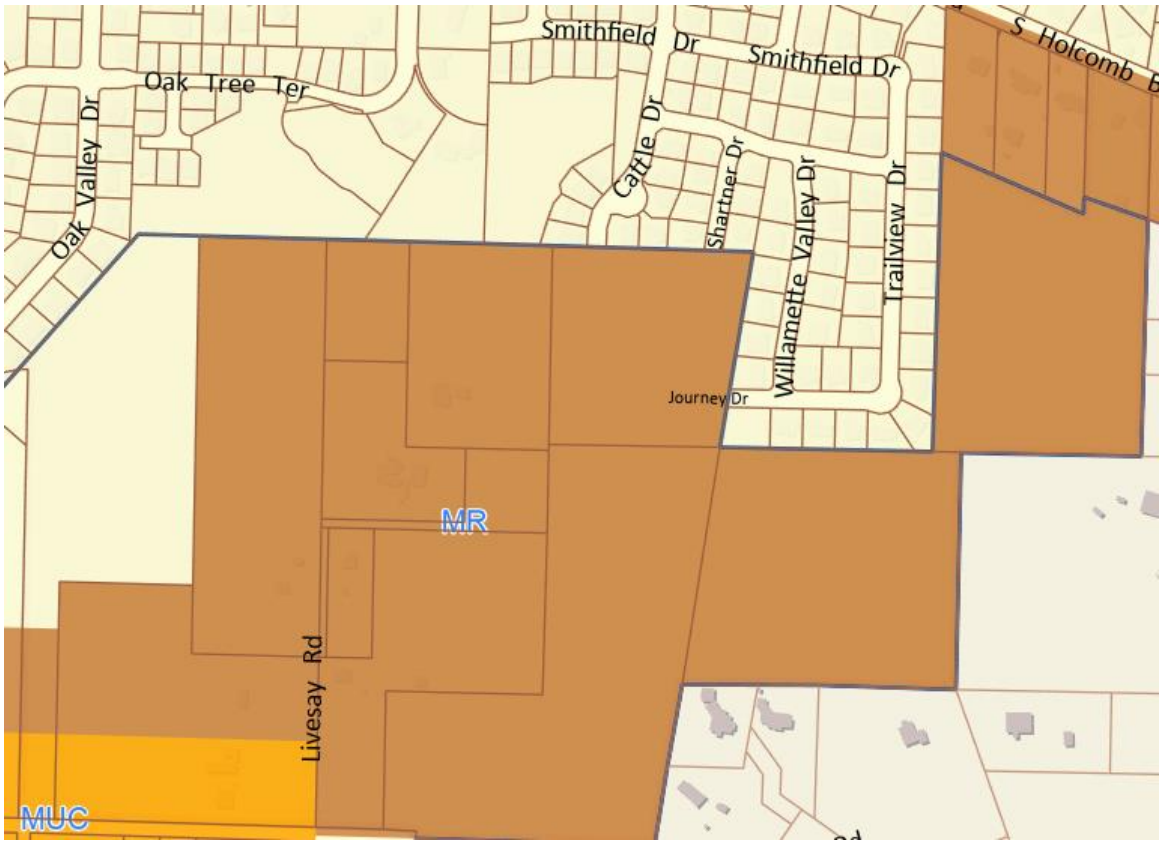
DENSITY

Comprehensive Plan

When the Park Place Concept Plan was adopted in 2008, comprehensive planning land use designations were applied to all properties within the concept plan study area. In the 92-acres comprising the applicant's proposal, this included a small amount of Low Density Residential (approximately 9.5 acres), Medium Density Residential (approximately 78 acres), and Mixed-Use Corridor (approximately 4.4 acres). The designations guided the subsequent rezoning of the property when it was annexed in 2016.

The designations are described in the 2004 Oregon City Comprehensive Plan as follows:

- Low Density Residential (LR) — primarily single-family detached homes.
- Medium Density Residential (MR) — residential developments with dwelling unit types such as attached single-family units, rowhouses, and townhouses… , and new single-family homes on existing lots. More intensive new and redeveloped residential construction can be built at medium densities under certain circumstances.
- Mixed Use Corridor (MUC) — higher density mixed uses that are supportive of transit and conducive to pedestrian traffic. Urban density residential and commercial goods and services are typical uses.



Comprehensive Plan Designations

<u>Park Place Concept Plan</u>

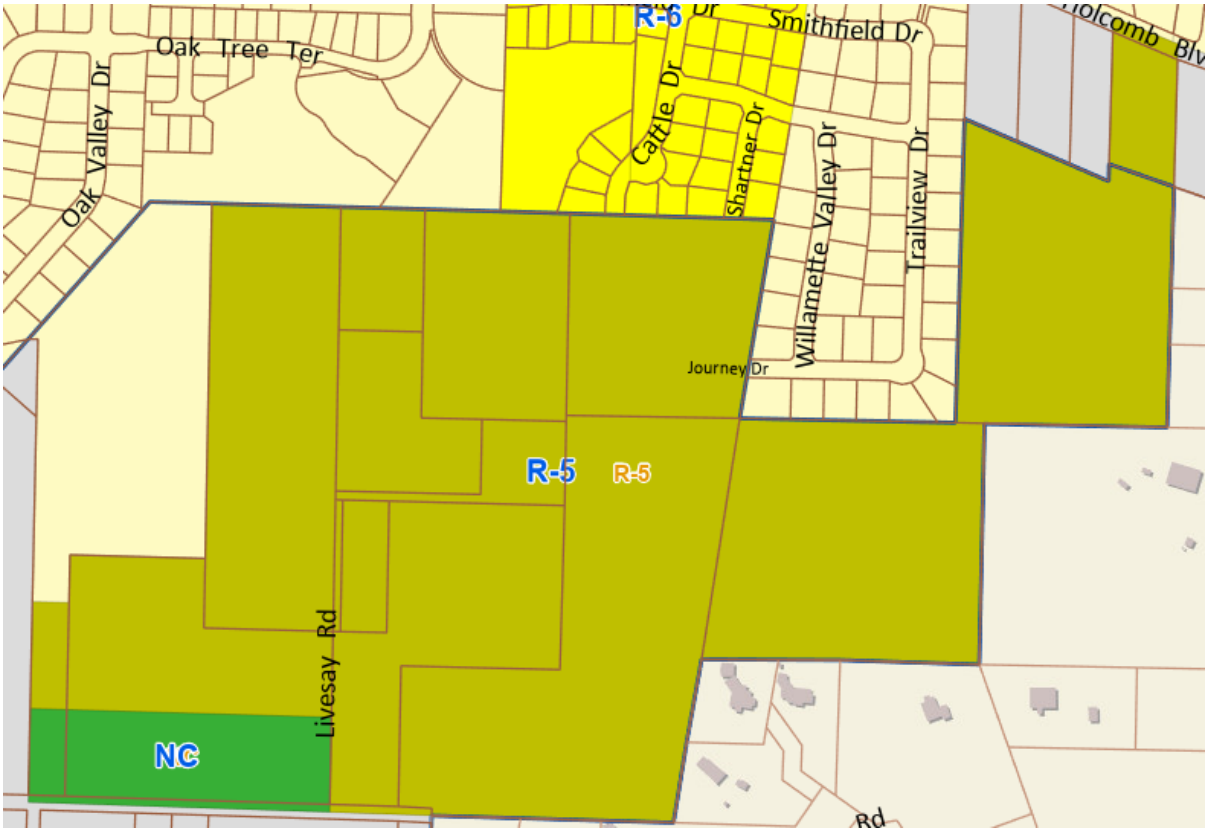
Essentially, the Park Place Concept Plan requires higher residential densities than the minimum densities required in the underlying zone districts. The reasons for this are explained below.

The Park Place Concept Plan was adopted as the Comprehensive Plan for this area and sets the framework for how the area will develop over time. The plan was required in order to comply with regional planning requirements for new urban growth areas (Metro Urban Growth Functional Management Plan – Title 11). Generally, concept plans identify the location and intensity of land uses, the provision of infrastructure such as transportation, utilities, and stormwater, and how environmental resources and sensitive habitats will be protected. The Park Place Concept Plan identifies a mix of residential, commercial, park and open space and civic land uses, and residential land accounting for approximately 52% of the gross acreage, with the remaining half of the land in the concept plan constrained by slopes and natural resources and not developable. Of the developable acreage, the concept plan identified 1,458 total units for development within the South and North Villages.

Metro Title 11 also requires that Cities within the Metro Urban Growth Boundary provide zoned capacity to support net densities of 10 units per acre to ensure efficient use of urban land and provide walkable communities with access to amenities. Oregon City "substantially complied" with this requirement through the adoption of the R-5 zone and NC zone districts to implement the concept plan at the time of annexation and zoning.

Zoning

Zoning designations were applied when the subject site was annexed in 2018. The three zoning designations that make up the site are R-10 (Low Density residential), R-5 (Medium Density residential) and NC (Neighborhood Commercial)



Zoning Districts

The concept plan anticipated a mix of low density (R-10) and medium density development and in fact, recommended adopting a new R-5 zone to achieve the desired density. The concept plan also anticipated the North Village would accommodate approximately **936 dwelling units**.[1] The North Village is bounded by Redland Road to the south and Holcomb to the North.

The residential zoning designations have minimum and maximum density requirements.

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[1] The following language from the concept plan supports a finding that the number of dwelling units is conceptual:

"North Village
The majority of new growth (approximately 936 units) is proposed to be accommodated in the North Village neighborhood, north of Redland Road (Figure 3-2)." P 24.

"Table 3-2 identifies the potential number of housing units of different types that could be developed within the concept planning area based on proposed zoning. The low/medium-density zone is more likely to be the site of manufactured homes and ADUs than the medium/high-density zone. The distribution of housing types in Table 3-2 however, represents only one scenario for accommodating needed housing within zones proposed for Park Place. It is possible that housing types may develop in different ratios, including development of attached single-family housing in the low/medium density residential zone." P 28.

Zone	Minimum density	Maximum density
R-10	3.5 du/acre	4.4 du/acre
R-5	7.0 du/acre	8.7 du/acre (detached)
	7.0 du/ acre	12.4 du/acre (attached)

The Applicant's Proposed Density Relative to other Concept Plan Factors

The applicant determined that 46.4 acres of land are developable, and with a permitted density transfer from areas impacted by the Natural Resources Overlay District (NROD), there is an additional 4.6 acres of land resulting in 51 buildable acres.

Area	Acreage
Net Developable Area	46.4
NROD Density Transfer (1/3 of NROD Area 14.3 acres)	4.6
Total Developable area for Density	51

Using the acreage and base zoning density requirements, the calculated composite minimum density of is 6.8 dwelling units per acre and a composite maximum density of 9.2 dwelling units per acre.

Minimum density of 6.8 du/acre results in 316 dwelling units and maximum density of 9.2 du/acres results in 427 dwelling units.

With the updated layout, the residentially zoned portion of Park Place Crossing GDP plans to provide 426 residential dwelling units, not including any future mixed-use residential dwelling units in commercially zoned areas. The minimum composite density (calculated based on the net developable area and base zone density standards) permitted by the base zoning for the area is 6.8 dwelling units per acre (347 dwelling units with the NROD density transfer). The maximum composite density permitted by the base zoning for the area is 9.2 dwelling units an acre. Park Place Crossing is within the minimum/maximum density range established by the base zoning for the area, not including permitted density transfers and b-onus density processes described below.

Previous plans utilized permitted NROD density transfer and a portion of the allowable GDP density increase. The NROD density transfer permits up to 469 dwelling units (9.2 dwelling units/acre over ±51.0 acres). The maximum number of dwelling units for the area with the allowed GDP density increase (10%) is 515 units or 10.1 dwelling units per acre. Therefore, the Park Place Crossing project is well within the established and accepted range of density.

In addition to falling within the minimum and maximum zoned density limits, any decisions on housing density must be driven by the language of the concept plan as well as any other applicable comprehensive plan policies. For example, Comprehensive Plan Goal 14.3, Orderly Provision of Services to Growth Areas, provides:

"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."

Development occurring at the mid-range or low point of the zoned density, could create additional pressures on future annexations and developments to have a higher density than what is proposed in this portion of the North Village. While the policies of the Park Place Concept Plan support a diversity of lot sizes and housing types, more intense development in the North Village and even in the South Village, could result in incompatible transitions from residential types instead of gradual transitions. Additionally, land use applicants are tasked with identifying specifically how much land is developable through more detailed analysis or "ground-truthing" versus the higher-level analysis done during concept planning. This "ground-truthing," when coupled with an existing shortfall, could only exacerbate the need for more intense density to achieve the number of units identified in the concept plan.

Further, development at the higher end of the density range provides the City with an opportunity to acquire more park space because the extent of the City's ask is constrained by the number of dwelling units proposed. Higher densities support the provision of infrastructure and amenities for existing and future residents. There may be more opportunities for flexibility with future annexations and zoning assignments because more units of the needed housing will be built.

On the other hand, the Concept Plan explains:

"Provide a gradual transition in zoning and allowed densities between existing residential development and new or future residential development and/or require larger setbacks between existing and new residential development." P 63.

Development on the lower end of density could mean more compatible transitions between the existing neighborhoods zoned R-10 and R-6 with more similar lot sizes. The minimum lot size for single family detached units in the R-5 zone is 5,000 square feet which provides a gradual transition between R-6 lots (6,000 square feet). The applicant has requested a reduction of minimum lot size for single family detached lots as well as the attached lots. The applicant has proposed detached lots in the R-10 zone as small as 4,000 square feet through the Master Plan adjustment process in OCMC 17.65.070.

The intent of OCMC 17.65.070 is to allow for a 20% adjustment to the base zone dimensional standards, which means, an R-10 lot could be reduced from 10,000 square feet to 8,000 square feet. The adjustment cannot be applied to allow the 5,000 square foot lot to be reduced to 4,000 square feet. Thus, the applicant shall ensure that lots in the R-10 zone are 5,000 square feet or more in area for future detailed development plan applications that show compliance with OCMC 17.49.240 for NROD density transfer. If density transfer standards cannot be met in future detailed development plan applications, the minimum size for lots within the R-10 zone will be 8,000 square feet, (assuming the requested 20% adjustment is approved).

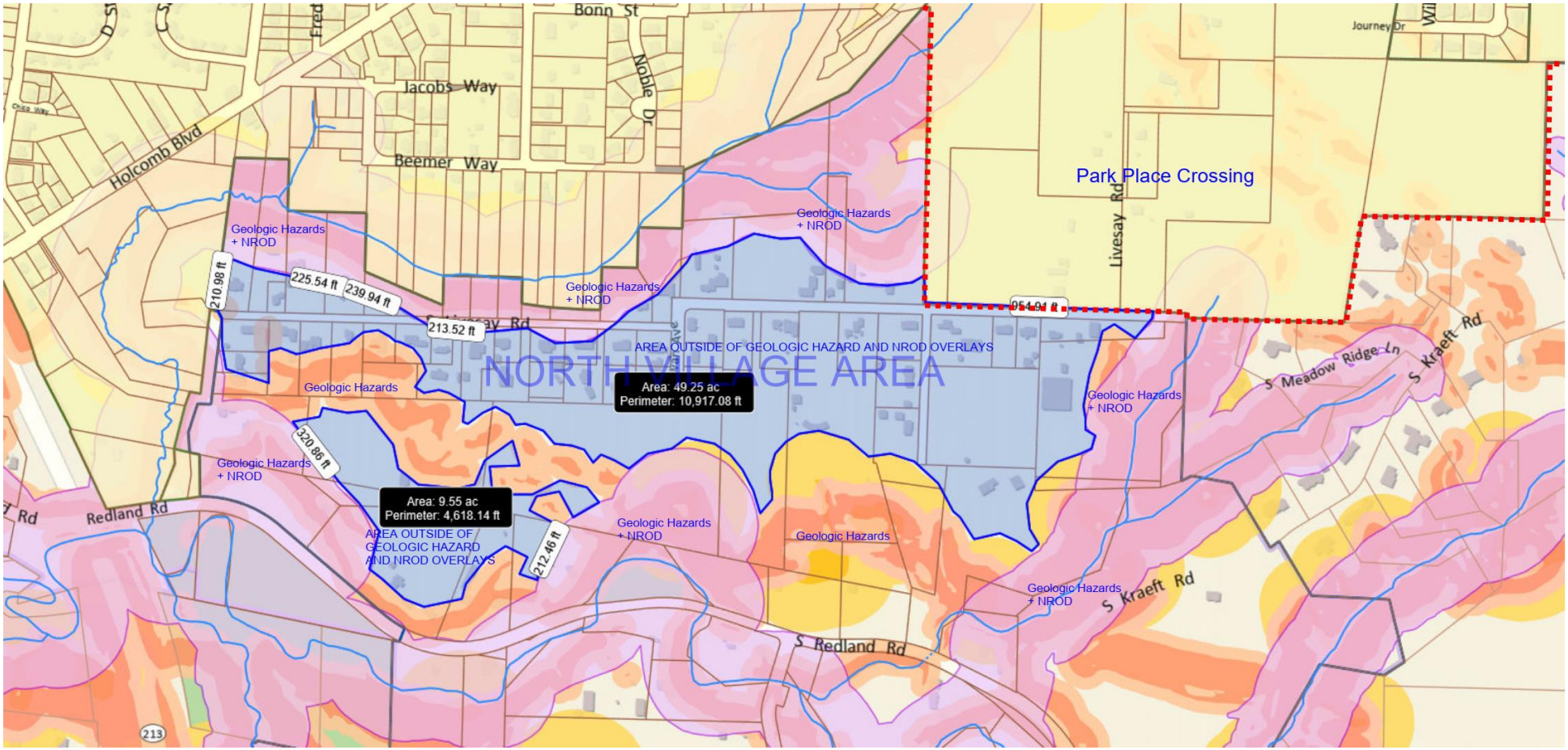
Transition of Lot Sizes

To promote a smoother transition between lot sizes the development, with the proposed 8/11/2022 revision, the applicant has provided larger lots abutting open space and existing R-10 zoned residential subdivisions such as Trail View Estates. This would reduce the overall lot count somewhat where the transition occurs, but the shortfall in the immediate single-family detached residential units may be made up for through the provision of attached single-family units, middle housing permitted under new

statewide housing laws, in the form of ADUs, or through mixed-use development and multi-family development within the Neighborhood Commercial-zoned area of the proposal.

Staff has recommended a condition of approval to assure the transition between lot sizes is provided as proposed.

Using the City's GIS mapping, staff estimates that there are approximately 60 acres of land remaining in the North Village area that are located outside of the Geologic Hazard Overlay and Natural Resources Overlay Districts (see figure below). As stated above, the concept plan anticipated 936 dwelling units in the North Village. The Park Place Crossing Master Plan is approximately 50% of the North Village leaving the remainder of the area for future annexation, zoning, and planned development. If the applicant builds 426 units as proposed with 14 units of multi-family making a total of 440 units, approximately 496 units would be required to be built on the remaining 60 acres. Note that additional property would be required for streets, roads and easements outside of the existing overlay districts. Assuming an additional 20% of land is required for streets, roads and easements, this would leave approximately 48 acres of "buildable land" remaining. At a maximum density of 9.1 units per acre, this sums to 436.8 units. Future applicants would be permitted to use NROD density transfer provisions and other provisions to make up the difference, however, this rough calculation helps illustrate the challenge of meeting the density needs and housing unit targets of the Park Place Concept Plan when more than half the land in the concept plan area is protected from development due to slopes, landslides, streams, wetlands and habitat areas. This fact was known and clearly stated when the Concept Plan was adopted in 2010 and is fundamental to understanding process of evaluating allowable density in this urbanizing area now that the General Development Plan is under review..


Bonn St
Jacobs Way
Beemer Way
Holcomb Blvd
Noble Dr
Journey Dr
Park Place Crossing
Livesay Rd
Geologic Hazards
+ NROD
Geologic Hazards
+ NROD
Geologic Hazards
+ NROD
Geologic Hazards
+ NROD
Geologic Hazards
Geologic Hazards
+ NROD
Geologic Hazards
+ NROD
Geologic Hazards
+ NROD
Geologic Hazards
Geologic Hazards
+ NROD
210.98 ft
225.54 ft
239.94 ft
213.52 ft
954.94 ft
320.86 ft
212.46 ft
AREA OUTSIDE OF GEOLOGIC HAZARD AND NROD OVERLAYS
NORTH VILLAGE AREA
Area: 49.25 ac
Perimeter: 10,917.08 ft
Area: 9.55 ac
Perimeter: 4,618.14 ft
AREA OUTSIDE OF
GEOLOGIC HAZARD
AND NROD OVERLAYS
S Meadow Ridge Ln
S Kraeft Rd
S Kraeft Rd
Redland Rd
S Redland Rd
213

Planning Commission discretion regarding Density

There are several ways to design the development of the residential portion of the North Village and strike the appropriate balance necessary to find compliance with all of the applicable approval criteria, including the Park Plan Concept Plan policies. The Planning Commission will need to balance the need to provide a minimum number of housing units in this portion of the concept plan (440 units) with what is reasonably proportional for the applicant to dedicate for parkland and open space, taking into account the revised road layout, which provides greater connectivity and street frontage for the park, and the increase in Neighborhood Commercial land on Livesay Road. If density is going to be reduced, there needs to be some explanation about how this reduction is necessary to further other Concept Plan objectives such as providing smooth transitions to existing development or variation in lot size, which in turn, affects affordability. If the density is reduced, the Planning Commission should make some finding about how the shortfall in overall units will be made up in the future.

TRANSPORTATION

Transportation Impact Analysis of this area was initially conducted during the Park Place Concept Plan planning process in 2007-2010, and upon review of the annexation and rezoning of the property in 2016, planning files AN-17-04 and ZC 17-05. The approval of those applications required that the applicant submit a General Development Plan for the site and attached several conditions of approval for transportation improvements, as well as the requirement to submit updated Transportation Impact Analyses at the time of General Development Plan and with each subsequent Detailed Development Plan. See section entitled "COMPLIANCE WITH CONDITIONS OF APPROVAL ASSOCIATED WITH ANNEXATION AND ZONE CHANGE AN-17-04 and ZC 17-05.", under section II Analysis and Findings.

The applicant has proposed to provide additional traffic studies at the time of Detailed Development Plan application for each Phase. The traffic study submitted for this General Development Plan review identifies where the transportation system is expected to have adequate capacity, and where improvements will be needed to provide adequate capacity for the new development. The study identified that the intersection of HWY 213 and Redland Rd, an intersection providing connectivity for this development, is a key intersection will be over capacity at some point between proposed Phase 1 and Phase 2. This means that the applicant will likely not be able to demonstrate compliance with transportation mobility standards for Phase 2, as proposed, and beyond.

If and when the applicant or the City is able to fund and construct an improvement to this intersection to add the requisite capacity necessary to serve subsequent development phases, additional development may occur. The City's planned improvement for the intersection of HWY 213 and Redland Road is known as the Jughandle Phase II project, which has been designed but is not currently scheduled for construction due to a lack of funding.

The applicant's traffic study indicates that an extension of Holly Lane to Redland Road is not needed to comply with transportation mobility standards in OCMC 16.12.033. Thus, the proposal does not propose to construct this street connection within phases 1-3 and instead relies on Holcomb Blvd to provide access to the development.

~~Discussions with Clackamas County Transportation and Developent staff to discuss the Holly Lane / Redland Road connection were held on~~

While the mobility standards might technically be met, the proposal is not consistent with Goals and Policies of the Comprehensive Plan and Master Plan standards, which require mitigation of neighborhood livability impacts. The applicant's proposal directs all of the new development traffic onto local streets at levels that greatly exceed typical local street volumes.

The added traffic on existing local streets including Cattle Drive and Winston Drive and other streets within the subdivisions that use Winston Drive to reach Holcomb Blvd, which is currently the only road into the area, as well as the new proposed Street A, will create impacts on livability. While the City does not have standards for levels of traffic on local streets, it is clear that the levels of traffic are likely to add a substantial number of daily trips on these streets that would greatly exceed levels associated with local residential streets.

To mitigate these impacts, the applicant submitted a revised proposal on June 29, 2022 which was presented to the Planning Commission on July 11, 2022, that addresses four areas:

1. An extension of Holly Lane to Holcomb Blvd
2. Reconfiguration of the proposed portion of the Community Park located at the southwest corner of the Master Plan area.
3. A second street connection to provide additional connectivity to Livesay Rd.
4. A plan that would prevent 2,000 average daily trips (ADT) on Winston Drive, Cattle Drive, Shartner Drive, and Street A.

The applicant presented the transportation mitigation approach as a supplementary memorandum entitled "Park Place Crossing General Development Plan: Trip Generation & Daily Traffic Volume Analysis" prepared by Lancaster Mobley transportation engineers and dated June 29, 2022.

The analysis seeks to identify development scenarios that demonstrate how the site could build out without placing a significant traffic burden on local streets, keeping the average daily traffic volume (ADT) on local residential streets at or below 2,000 vehicles per day.

Proposal to limit traffic on existing local streets

The applicant submitted a rather elaborate proposal to temporarily block vehicle traffic from the development from using existing local streets in abutting subdivisions until greater connectivity can be achieved via the connection of Holly Lane to Holcomb and eventually down to Redland Road, as envisioned in the Park Place Concept Plan and the City's adopted Transportation System Plan. This approach would- employ using barriers into abutting existing streets and confine the majority of new vehicle trips to new roads and reduce traffic on existing local streets. The trip generation and local street traffic associated with this approach is detailed in the following table from the applicant's transportation engineer's memorandum.

Staff has recommended a Condition of Approval to assure the applicant's proposal is implemented.

Trip Generation & Local Street ADT

As with the original Transportation Impact Study[1], trip generation is calculated based on data available in the Trip Generation Manual[2]. Table 1 below summarizes the findings of each phase.

Table 1: Trip Generation & Local Street ADT Summary

Scenario	Housing Type		ADT at Holcomb Boulevard		
	Detached Single-Family	Attached Single-Family	Street A	Winston Drive	Holly Lane (Collector)
Phase 1	59	0	622	878[1]	-
Phases 1 & 2	182	36	1,974	878[1]	-
Phases 1, 2, & 3	253	36	1,974	1,498[2]	-
Build Out	351	126	0[3]	1,509[4]	3,483

[1] Existing ADT on Winston Drive is 878 vehicles per day

[2] 620 new trips + 878 existing trips = 1,498 trips total

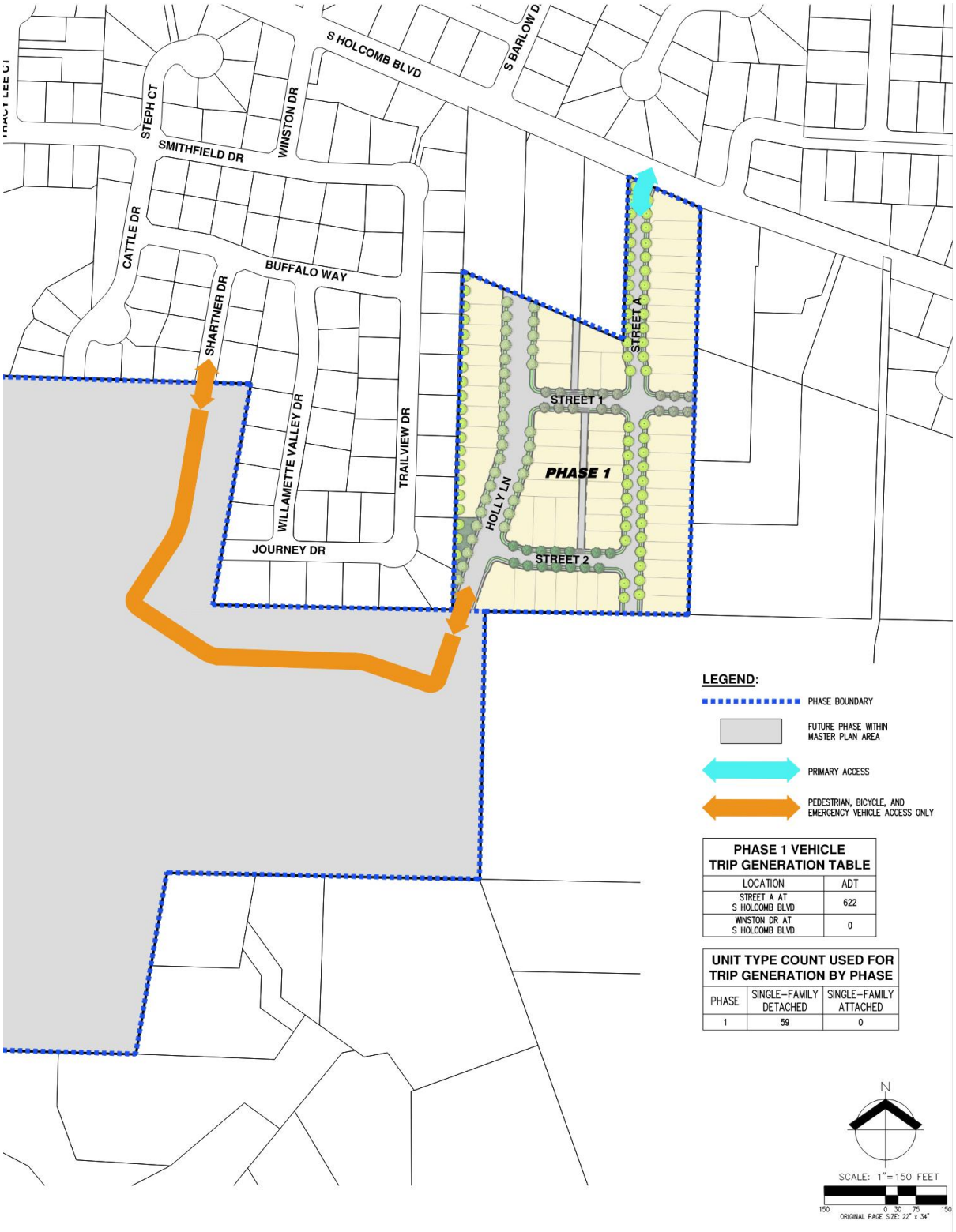
[3] Street A at Holcomb Boulevard restricted to emergency vehicle access with connection of Holly Lane

[4] 631 new trips + 878 existing trips = 1,509 trips total

Phase 1

This is simply the first phase of development, consisting of a total of 59 detached single-family homes, all with access to Holcomb Boulevard via Street A. Emergency vehicle access will be available via a new street

connection to Shartner Drive. Refer to EXH-1.



PHASE 1 VEHICLE TRIP GENERATION TABLE

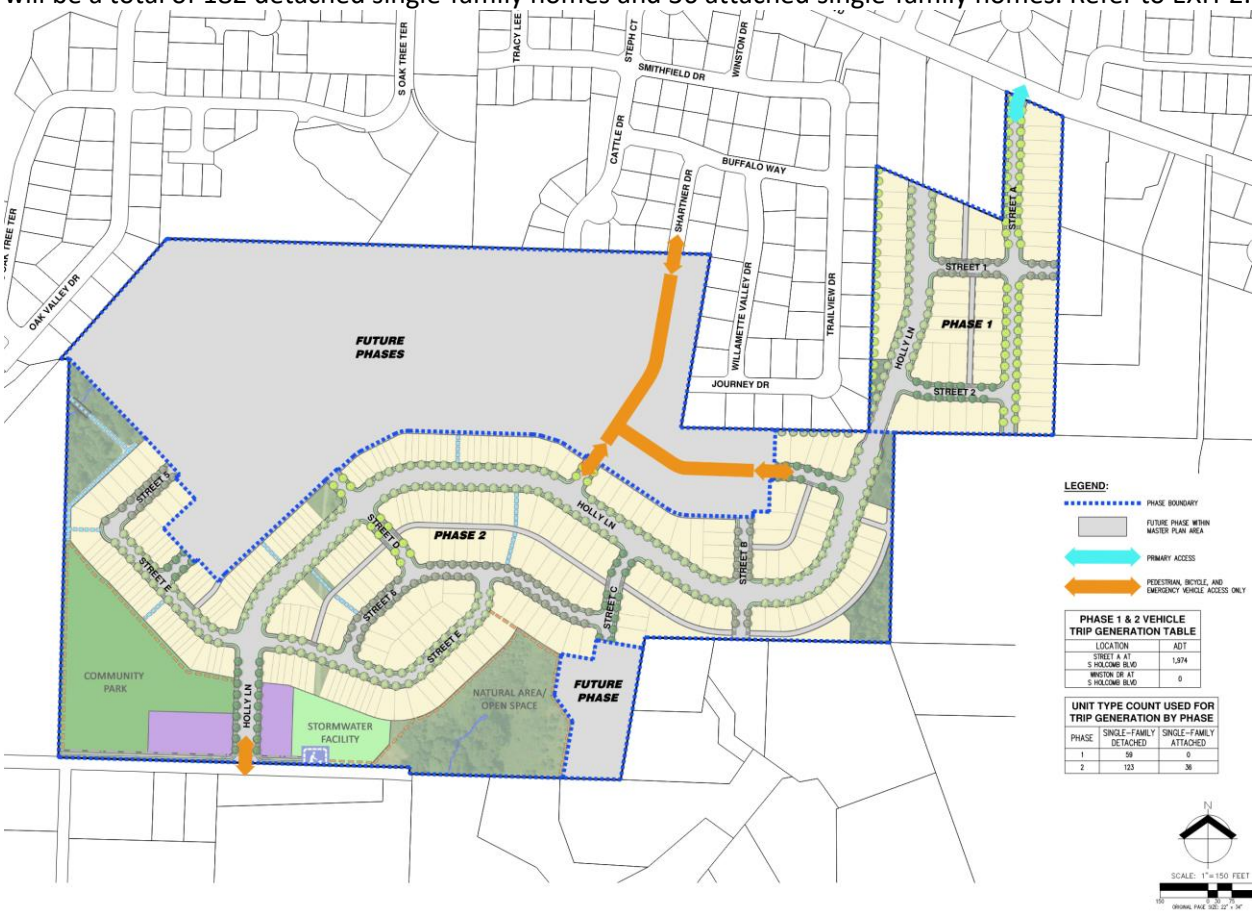
LOCATION	ADT
STREET A AT S HOLCOMB BLVD	622
WINSTON DR AT S HOLCOMB BLVD	0

UNIT TYPE COUNT USED FOR TRIP GENERATION BY PHASE

PHASE	SINGLE-FAMILY DETACHED	SINGLE-FAMILY ATTACHED
1	59	0

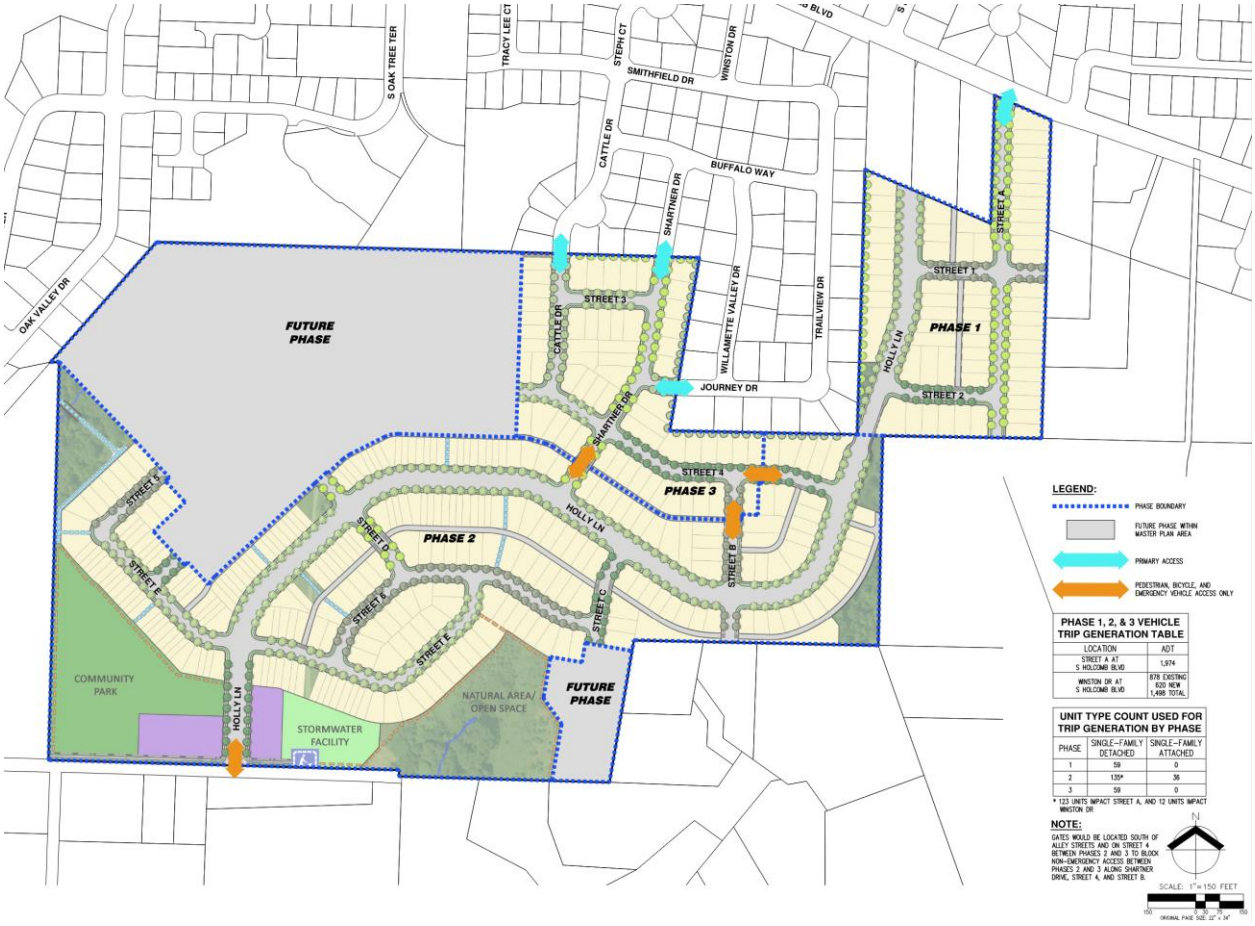
Phases 1 & 2

For this scenario, all vehicular access continues to occur along Street A to Holcomb Boulevard with emergency vehicle access available via Shartner Drive. With full buildout of Phase 1 and partial buildout of Phase 2, there will be a total of 182 detached single-family homes and 36 attached single-family homes. Refer to EXH-2.



Phases 1, 2, & 3

With three phases of development, additional street connections will be made to Cattle Drive, Shartner Drive, and Journey Drive. For this scenario, the ADT on Winston Drive is examined, since this is the single point of access to Holcomb Boulevard for the neighborhood and therefore has the highest traffic volume of any of the connecting local streets. It is important to note that volumes on Cattle Drive, Shartner Drive, and Journey Drive will be lower than what is shown here. The three phases, with partial buildout of Phase 2, have a total of 253 detached single-family homes and 36 attached single-family homes. It is important to note that in this scenario, all Phase 3 trips will utilize Winston Drive since connections to Phase 2 streets (Street 4, Street B, and Shartner Drive) will be limited to pedestrians, bicycles, and emergency vehicles. Refer to EXH-3.



The applicant anticipates that any additional development beyond Phase 3 would rely on the construction of the Holly Lane connection to Holcomb Boulevard, estimating conservatively that half of the trips from phases 3-5 would utilize the existing neighborhood to reach Holcomb Boulevard (via Winston Drive).

The applicant stated:

> Under build-out conditions with Holly Lane connected to Holcomb Boulevard, the conservative worst-case assumption was made that half of the trips from phases 3-5 would utilize the existing neighborhood north of the site to reach Holcomb Boulevard. Drivers are better served by Holly Lane, which provides a more direct and higher-speed route. In practice, only the northern lots of phases 3 and 5 would be better served by the existing street network, particularly with traffic calming measures installed on existing streets, which the applicant will be conditioned to provide. However, to provide a worst-case analysis, more conservative assumptions regarding trip routing were made.
>
> As demonstrated in this analysis, all local residential streets in the area including Winston Drive and all streets within the existing neighborhood north of the site will have under 2,000 vehicles per day with the phasing pattern shown and with the connection of Holly Lane to Holcomb Boulevard.

The applicant's memorandum describing the proposed phased barrier system was reviewed by the City's transportation consultant, Replinger and Associates, who concluded that the analysis performed by the engineer, and documented in their June 29 memorandum used appropriate calculations for trip generation and

logical traffic patterns. His calculations showed that Phases 1, 2, and 3 can be implemented, with access restrictions in Phases 2 and 3, that will assure that traffic volumes on local streets remain within allowable limits.

GEOLOGIC HAZARDS

The proposed development contains areas of Geologic Hazards, and the Applicant has provided a preliminary geotechnical report and geologic hazard overlay memo as part of the GDP. Below is a figure with geologic hazard areas and the locations of the proposed development:

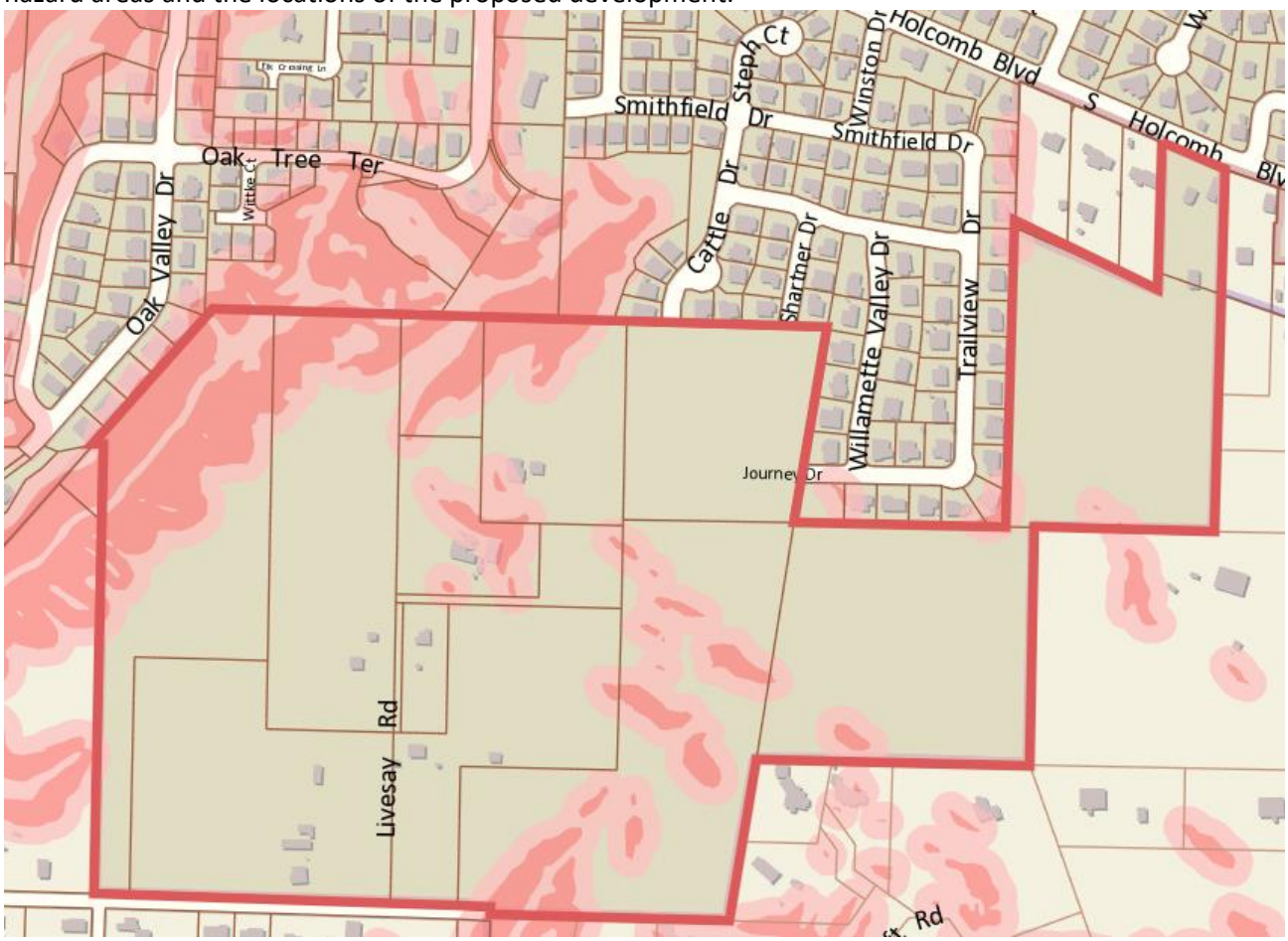


Figure 7. Geologic Hazard Areas of Slopes over 25% and buffer areas

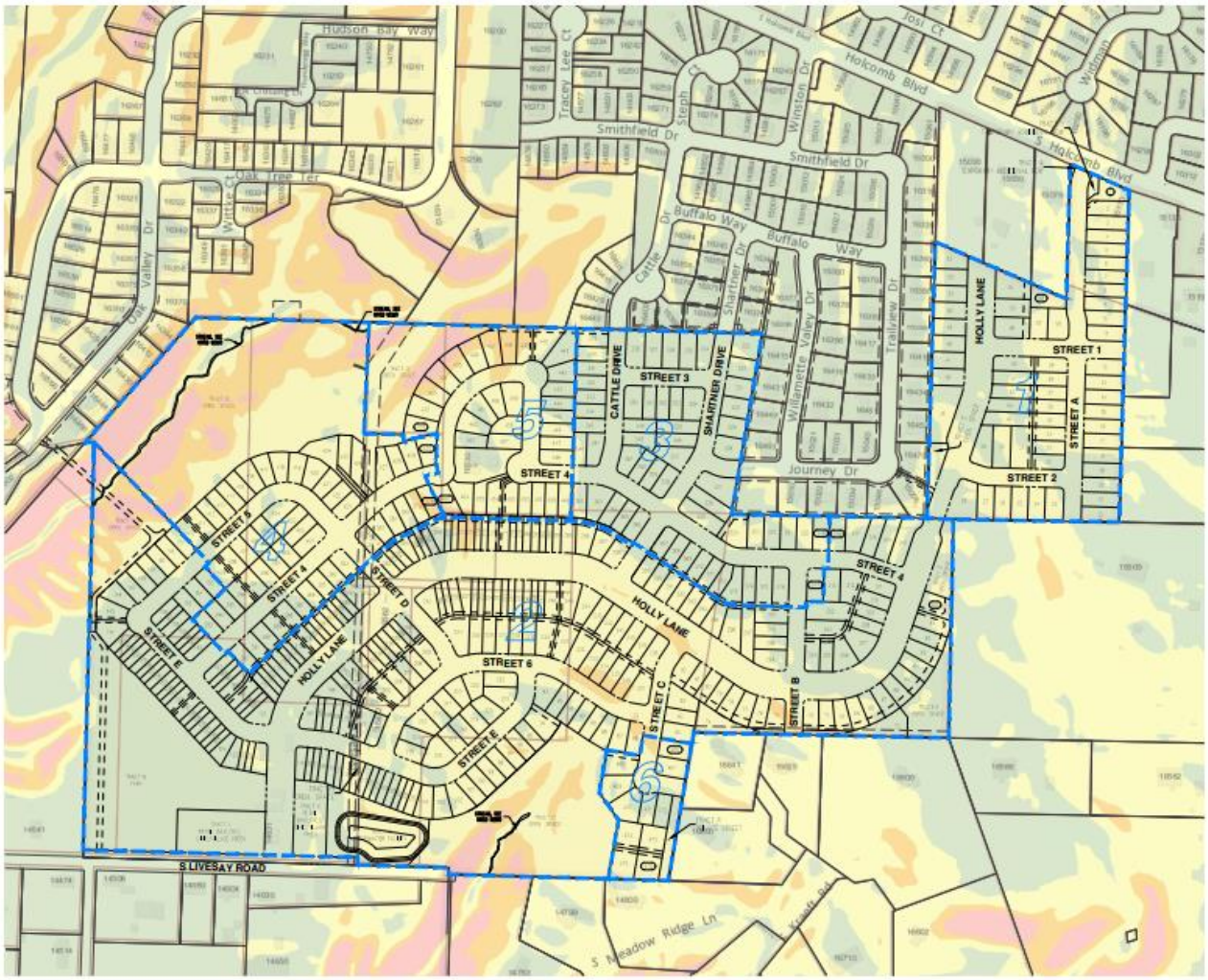


Figure 8. Geologic Hazard Areas with Steep Slopes and Proposed Development

SLOPE CATEGORIES LEGEND:

- SLOPES 0–10%
- SLOPES 10–25%
- SLOPES 25–35%
- SLOPES >35%

Portions in the northwest corner of the property contain both steep slopes and landslide deposits. Most of the northwest area is not proposed for development but instead for greenspace to avoid the geohazards and landslide materials. No other existing landslide deposit areas are currently identified in the City's mapping system.

The proposed preliminary layout has streets (Holly Lane, Street C, Street 6 and Street 4) running through geologic hazard areas within the site (steep slopes). Per the City's code (OCMC 17.44) these geological hazard areas are to be avoided. The applicant has provided preliminary alternatives for shifting the alignment of Holly Lane away from the geohazard areas, but they state that these alternatives would create view tunnels, streetscapes inconsistent with the Park Place Master Plan, walkability, aesthetic, and cost concerns.

The applicant has submitted a preliminary geologic assessment for the General Development Plan per OCMC 17.4. A Detailed Development Plan has not been submitted yet. When the applicant applies for a DDP, additional review for compliance with OCMC 17.44 shall be required that includes a detailed description of the impacts of

the proposed street layout, any traffic safety concerns and conflicts regarding view tunnels, alternative road locations, street design modifications and other concerns associated with the specific road designs shall be identified.

The applicant will need to show that constructing streets within Geologic Hazard areas is unavoidable and that the design of the roads will comply with OCMC 17.44. The street layouts and alternatives shall be further reviewed with each DDP as more detailed plans and geotechnical analyses are provided and plans are revised to comply with the City's steep slope requirements.

The GDP has also identified several lots within geological hazard areas that could exceed the City's density requirements within the hazard areas. As a result, the total number of buildable lots may need to be reduced. See City's comments on OCMC 17.44.060.H later in this staff report.

This concludes the Project Description

3. Permits and Approvals: The applicant is responsible for obtaining approval and permits from each applicable governmental agency and department at Oregon City including but not limited to the Engineering and Building Divisions.

4. Public Comment

Public comments submitted include (Exhibit 3):

A public comment summary table has been used to track public comment for this application. See Exhibit 3 for the table listing all comments and staff responses. Public comments have generally covered the topics of traffic, stormwater runoff impacts due to increased impervious surface, concerns with modifications to lot dimensions and density standards not in keeping with existing neighborhoods, potential noise and light pollution, concerns with the public notification process, concerns with potential impacts to well water, and several others.

None of the comments provided indicate that an approval criterion has not been met or cannot be met through the Conditions of Approval attached to this Staff Report.

II. ANALYSIS AND FINDINGS:

COMPLIANCE WITH CONDITIONS OF APPROVAL ASSOCIATED WITH ANNEXATION AND ZONE CHANGE AN-17-04 and ZC 17-05

Several conditions of approval were part of the City's decision for AN-17-04 and ZC 17-05. Findings are added beneath each of the conditions below:

> *1. Highway 213 at Beavercreek Road intersection (an Oregon Highway intersection) is forecasted to fall below adopted mobility standards prior to year 2035. As a result, the City has adopted a new Refinement Plan and amendments to OCMC Chapter 12.04 implementing the new Refinement Plan, that is not yet acknowledged. This re-zoning shall not be effective until the new Refinement Plan including alternative mobility measures is adopted and acknowledged.*

Finding: Complies as Proposed. A final "Highway 213 Corridor Alternative Mobility Targets" report and associated code amendments (File No. L 17-03) for the Highway 213/Beavercreek Road intersection were adopted by the City Commission in March 2018. The attached Transportation Impact Study reviews the effects of the project in relation to the standards set by the adopted report. This Condition of Approval has been completed.

> *2. Prior to the effective date of this zone change, the property will remain zoned FU-10. No new structures or additions to existing structures or site grading that triggers erosion control permits or overlay district review, other than what otherwise would be allowed under the County's applicable FU-10 zoning, will be allowed. In addition the property shall be subject to the City's overlay districts, fence regulations in OCMC 17.54.100 as well as the City's nuisance, business licensing and animal regulations.*

Finding: Complies as Proposed. The properties were zoned FU-10 prior to the effective date of the zone change and were changed to City zoning following the completion and adoption of the "Highway 21 Corridor Alternative Mobility Targets" report. The project site is now zoned R-10, R-5, and Neighborhood Commercial. This Condition of Approval has been completed.

> *3. A trip cap for the approximate 92-acre annexation shall be imposed on all development as follows: 538 AM peak hour trips; 679 PM peak hour trips; and 7406 total weekday trips. Any proposal involving development exceeding this trip cap will require additional analysis showing compliance with the Transportation Planning Rule, OAR 660-12-0060 subject to review by the Planning Commission and City Commission as a modification.*

Finding: Complies as Proposed. With the proposed 8/11/2022 revision, the trip generation will be reduced. As originally proposed, the planned residential component of the Park Place Crossing General Development Plan is anticipated to generate 290 morning peak hour trips, 390 evening peak hour trips, and 4,064 average weekday trips, representing only ±54 percent of the trip cap established by Condition of Approval #3. A Transportation Impact Study reviewing these requirements and detailing the trip generation for the project is included in the applicant's proposal. The City's transportation consultant, John Replinger, reviewed the Transportation Study and concluded:

> "It is also important to recognize that the trip generation for the residential development proposed under this GDP is less than the total trip generation presented in the TIS for the annexation and rezoning approved in the prior land use action. The trip cap established with the annexation and rezoning was 538 AM peak hour trips; 679 PM peak hour trips; and 7,406 total weekday trips. The number of trips generated by the proposed residential development is comfortably below the adopted trip cap and leaves substantial trips available for commercial development on the remaining portions of the property subject to the annexation and rezoning."

This Condition of Approval has been completed.

> *4. Prior to issuing any development approval authorized by this annexation and zone change, the applicant shall obtain General and Detailed Development Plan approval, that includes the approximate 92-acre property, pursuant to OCMC 17.65. Until such time, all development shall be conform to requirements of the County's FU-10 zoning. The General Development Plan and all phases of development authorized by it, must implement the Park Place Concept Plan and Oregon City's adopted Public Facilities Plans with regard to the provision of open space, park and trails, sewer, water, stormwater and transportation improvements. These include, but are not limited to, addressing the timing of parkland acquisitions and development, proposed phasing of*

major roads to ensure a timely connection to Holly Lane and an analysis of utility phasing that can foster redevelopment of the entire concept plan area. All land division and site plan and design review applications shall be in conformance with the approved Master Plan, although the normal provisions for Amendments to Master Plans apply.

Finding: Complies with conditions. Development of the site has not occurred since annexation of the property and approval of Ordinance No. 18-1007. The applicant has submitted this application for a General Development Plan to comply with this condition of approval. Detailed Development Plans will be required that provide more detailed and site specific analysis of the proposed subdivision phases, compliance with the Natural Resources Overlay District and Geologic Hazard Overlay District, and site specific engineering requirements.

This condition of approval requires that the applicant propose phasing of major roads "To ensure a timely connection to Holly Lane and an analysis of utility phasing that can foster redevelopment of the entire concept plan area."

While the applicant has not proposed specific timing of parkland acquisitions and major roads, the recommended conditions of approval address these items.

5. As a result of future transportation analyses associated with specific development plans for any of the properties subject to this annexation, the applicant may be obligated in subsequent conditions of approval to mitigate for development impacts by participating in funding of both TSP and non-TSP projects regardless of whether those project are listed in the conditions of approval for this annexation and zone change pursuant to the applicable approval criteria for a Master Plan.

Finding: Complies as proposed. The applicant indicated acknowledgement of this condition.

6. At such time as a Master Plan is reviewed, the applicant shall submit additional materials to address specific requirements outlined in the city's Guidelines for Transportation Impact Analyses and calculate the proportionate share of transportation impacts of the proposed development including proportional mitigation of the application's impacts on that intersection, or such other mitigation measure(s) as may be approved which assure(s) that the intersection will either meet, or perform no worse than, the then-applicable performance standards. More intense development than identified in this report is likely to increase the applicant's share of project differently than calculated below. The applicant's final share may be modified as necessary when a Master Plan is approved to reflect any a modification of the development's trip generation or a change in project costs resulting from revisions to project costs associated with updates to the City's Transportation System Plan or Capital Improvement program that will be paid on a schedule determined as part of the Master Plan.

Finding: Complies as Proposed. The project Transportation Impact Study addresses the City's Guidelines for Transportation Impact Analyses (July 2021) and reviews the proportional mitigation of the project's impacts on the studied intersections. The Park Place Crossing Master Plan anticipate significantly fewer vehicle trips, approximately 54 percent of those projected as part of the annexation TIS; therefore, the final share of proportional mitigation will be modified. Transportation Impact Study updates will be submitted with each Detailed Development Plan, as necessary.

a. Redland Road at Holcomb Boulevard/Abernethy Road (a non-Oregon Highway intersection) is forecasted to fall below adopted performance standards prior to year 2035. The applicant shall demonstrate either of the following:

1. That the City has adopted amendments to the City's Transportation System Plan to include projects that satisfy the applicable mobility standards as specified in OCMC 12.04.205 at this location; or

2. Accept a condition of approval for a development application that obligates the applicant to implement a project that satisfies applicable mobility standards at that intersection.

Finding: Complies with conditions. The applicant mentions the City's adopted Alternative Mobility Targets in response to this condition. However, the alternative mobility targets were adopted only for HWY 213 and Beavercreek, and not HWY 213 and Redland Road. See findings and conditions in 17.65.050.C.3 for a discussion of HWY 213 and Redland Road.

b. The developer shall participate in the funding of improvements for the I-205/OR99E ramp terminal projects (TSP Projects D75 and D76) in proportion to the development's traffic volumes as a percentage of total year 2035 intersection volumes from the TSP. The project cost for D75 is $2,990,000. Based on this methodology and the preliminary PM peak hour trip generation from the proposed development, the development accounts for 0.96 percent of the 2035 volume and the development's share of the project is $28,700. The project cost of D76 is $1,990,000. The development accounts for 0.87 percent of the 2035 volume and the development's share is $17,300.

c. The developer shall participate in the funding of improvements for the Main Street/14th Street improvements (TSP Projects D7 and D8) in proportion to the development's traffic volume as a percentage of the predicted 2035 traffic volume at the intersection calculated in the TSP. The cost of these projects as listed in the 2017 TSDC Project List is $845,000 and $960,000, respectively. Based on this methodology and the preliminary PM peak hour trip generation from the proposed development, the development accounts for 3.63 percent of the 2035 volume and the development's share of the project is $65,500.

d. The developer shall participate in the funding of improvements for the Abernethy/Holcomb/Redland intersection in proportion to the development's traffic volume as a percentage of the predicted 2035 traffic volume. No project is currently identified in the TSP. The project concept is to provide an additional lane on the eastbound approach; it may involve restriping or widening and signal modifications. No project cost is available at this time. Based on this methodology and the preliminary PM peak hour trip generation from the proposed development, the development accounts for 19.7 percent of the 2035 volume.

e. The developer shall participate in the funding of improvements for the intersection of OR213/Redland Road (TSP Project D79) in proportion to the development's traffic volume as a percentage of the predicted 2035 traffic volume at the intersection calculated in the TSP. The 2017 TSDC project list shows a project cost of $10,105,000. Based on this methodology and the preliminary PM peak hour trip generation from the proposed development, the development accounts for 4.77 percent of the 2035 volume and the development's share of the project is $482,000.

f. The developer shall participate in the funding of improvements for the Holly Lane/Holcomb Boulevard intersection (TSP Project D43) in proportion to the development's traffic volume as a percentage of the predicted 2035 traffic volume. Project D43 is a roundabout with an estimated project cost in the TSP of $1,040,000 according to the 2017 TSDC Project List. Based on this methodology and the preliminary PM peak hour trip generation from the proposed development, the development accounts for 38.1 percent of the 2035 volume and the development's share of the project is $396,000.

g. The developer shall participate in the funding of improvements for the Holly Lane/Redland Road intersection (TSP Project D36) in proportion to the development's traffic volume as a percentage of the predicted 2035 traffic volume. Project D36 is a roundabout with an estimated project cost $1,040,000 according to the 2017 TSDC Project List. Based on this methodology and the preliminary PM peak hour trip generation from the proposed development, the development accounts for 28.3 percent of the 2035 volume and the development's share of the project is $294,000.

h. The developer shall participate in the funding of improvements for the Highway 213/Beavercreek Road intersection in proportion to the development's traffic volume as a percentage of the predicted 2035 traffic volume. A project to add a right-turn lane on westbound Beavercreek Road and a merge lane on northbound Highway 213 was identified in the July 2017 Highway 213 Corridor Alternative Mobility Study and was adopted as Project D95 as an amendment to the TSP. The project's cost listed in the TSP amendment is $2.7 million. Based on this methodology and the preliminary PM peak hour trip generation from the proposed development, the development accounts for 0.35 percent of the 2035 volume and the development's share of the project is $9,400.

i. The developer shall participate in the funding of improvements for pedestrian and bicycle projects on Holcomb Boulevard that implement the Holcomb Boulevard Pedestrian Enhancement Concept Plan (HBPECP, adopted by Ord. 05-1003) in accordance with the Transportation System Plan sidewalk Infill projects W11, W12, W13, bike lane project B12, and crossing projects C3, C4, C5 and C6 in proportion to the development's motor vehicle traffic volume using Holcomb Boulevard as a percentage of the total motor vehicle traffic volume on Holcomb Boulevard. Based on this methodology and the preliminary PM peak hour trip generation from the proposed development, the development accounts for 11.5 percent of the 2035 volume. The combined cost of these seven projects is $3,735,000. The development's share of the projects' cost is calculated to be $429,500. The developer is entitled to System Development Charge credits pursuant to OCMC 13.12.040 for qualified public improvement as part of development.

j. The developer shall participate in the funding of improvements for the Redland Road/Anchor Way intersection in proportion of the development's traffic as a development's traffic volume as a percentage of the predicted 2035 traffic volume. Project D35 specifies operational improvements at the intersection with an estimated project cost of $425,000 according to the 2017 TSDC Project List. Based on this methodology and the preliminary PM peak hour trip generation from the proposed development, the development

accounts for 25.0 percent of the 2035 volume and the development's share of the project is $106,000.

k. The applicant's preliminary proportionate share for project listed above as conditions of approval are based on the total trip generation for the annexation property using the proposed trip cap of 538 AM peak hour trips; 679 PM peak hour trips; and 7,406 total weekday trips. A less intense development is likely to decrease the applicant's share of projects as calculated above. A more intense development, in addition to requiring analysis showing compliance with the Transportation Planning Rule, is likely to increase the applicant's share of projects as calculated above.

Finding: Complies with conditions. The Park Place Crossing Master Plan Transportation Impact Study anticipates a net additional 290 AM peak hour trips, 390 PM peak hour trips, and 4,064 total weekday trips. These expected trips are equal to ±54.6 percent of the trip cap established by Ordinance No. 18-1007 (AN-17-0004/ZC-17-0005). Because the full build-out planned for Park Place Crossing is significantly less than the trip caps listed above, the result is a decrease in the Applicant's share of the listed projects. A more intense development is not planned; therefore, additional analyses showing compliance with the Transportation Planning Rule is not required. The total of AM peak hour, PM
peak hour, and total weekday trips will be determined and updated at each phase of Detailed Development Plan. For Phase 1, the proportional share calculations have been made and are included as a condition of approval. See additional findings in 17.65.050.C.3.

CHAPTER 17.65 MASTER PLANS AND PLANNED UNIT DEVELOPMENT

17.65.030 - Applicability of the Master Plan or Planned Unit Development Regulations.

A. Required for Large Institutional Uses. If the boundaries of an institutional development exceed ten acres in size, the proposed development shall be master planned using the regulations of this chapter. No land use review other than a Type I or II Minor Site Plan and Design Review shall be issued for any institutional development in excess of ten acres in total acreage unless it is accompanied by or preceded by a master plan approval under this chapter. This requirement does not apply to modifications to existing institutional developments unless the modification results in a cumulative square footage increase of over ten thousand total building square feet in an existing institutional development over ten acres.

B. When Required as Part of Previous Land Use Review. The master plan or planned unit development regulations may be used to fulfill a condition of approval from a previous land use decision-requiring master planning for a development.

C. When identified in the Oregon City Comprehensive Plan. The master plan regulations are required for all properties identified for master planning in the Land Use section of the Oregon City Comprehensive Plan.

D. Voluntarily. An applicant may voluntarily submit a master plan or planned unit development as part of a land use review, including for residential projects.

Finding: Applicable. Per Condition of Approval No. 4 of Ordinance No. 18-1007 (AN-17-0004/ZC-17-0005) for the Park Place Annexation and Zone Change, a General Development Plan (Master Plan) was required for the 92 acres of property.

17.65.040 - Procedure.

A. Preapplication Review. Prior to filing for either general development plan or detailed development plan approval, the applicant shall file a pre-application conference pursuant to OCMC 17.50.030.

Finding: Complies as Proposed. Pre-application conferences were held on April 7, 2020, and May 5, 2021.

B. General Development Plan. An application for a general development plan describing the long-term buildout of the site shall be reviewed through a Type III procedure. An applicant shall have an approved general development plan before any

detailed development plan may be approved, unless both are approved or amended concurrently. Amendments to an approved general development plan shall be reviewed under a Type III procedure pursuant to OCMC 17.65.080.
Finding: Applicable. This application includes a General Development Plan (GDP) for Park Place Crossing meeting the requirements of OCMC 17.65.050.

C. Detailed Development Plan. An application for a detailed development plan, is processed through a Type II procedure, as long as it is in conformance with the approved general development plan. Amendments to an approved detailed development plan shall be processed pursuant to OCMC 17.65.080. Once a development has an approved detailed development plan, OCMC 17.62 Site Plan and Design Review is not required.
Finding: Not applicable. This application does not include a Detailed Development Plan at this time. Future applications for Detailed Development Plans are planned for each phase of the project outlined through the submitted General Development Plan.

D. Concurrent Review. An applicant may concurrently apply for a general development plan and a detailed development plan. Such a concurrent application is reviewed through the highest procedure that applies to any element of the combined application.
Finding: Not applicable. This application does not include a Detailed Development Plan at this time and therefore does not require a concurrent review.

E. Relationship to Other Reviews. It is the express policy of the City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.
Finding: Complies as Proposed. The applicant has submitted a General Development Plan which allows for a Comprehensive review of an entire development prior to phasing of development. Subsequent phases of the development will be reviewed as more refined detailed development plans are submitted for review.

F. Duration of General Development Plan. A general development plan shall involve a planning period of up to twenty years. An approved general development plan shall remain in effect until development allowed by the plan has been completed through the detailed development plan process, the plan is amended or superseded, or the plan expires under its stated expiration date either as stated in the approved master plan or planned unit development application or decision of approval.
Finding: Applies. The applicant acknowledged this standard.

17.65.050 - General Development Plan.
A. Existing Conditions Submittal Requirements.
1. Narrative statement. An applicant shall submit a narrative statement that describes the following:
a. Current uses of and development on the site;
b. For institutions, history or background information about the mission and operational characteristics of the institution that may be helpful in the evaluation of the general development plan, and information about current programs or services;
c. A vicinity map showing the location of the General Development Plan boundary relative to the larger community, along with affected major transportation routes, transit, and parking facilities. At least one copy of the vicinity map shall be eight and one-half inches × eleven inches in size, and black and white reproducible;
d. Land uses that surround the development site. This may also reference submitted maps, diagrams or photographs;
e. Previous land use approvals within the General Development Plan boundary and related conditions of approval, if applicable;
f. Existing utilization of the site;
g. Site description, including the following items. May also reference submitted maps, diagrams or photographs.
1. Physical characteristics;
2. Ownership patterns;

3. Building inventory;
4. Vehicle/bicycle parking;
5. Landscaping/usable open space;
6. FAR/lot coverage;
7. Natural resources that appear on the city's adopted Goal 5 inventory;
8. Cultural/historic resources that appear on the city's adopted Goal 5 inventory;
9. Location of existing trees six inches in diameter or greater when measured four feet above the ground. The location of single trees shall be shown. Trees within groves may be clustered together rather than shown individually; and
10. Geologic hazards pursuant to OCMC 17.44.

h. Existing transportation analysis, including the following items. May also reference submitted maps, diagrams or photographs.
1. Existing transportation facilities, including highways, local streets and street classifications, and pedestrian and bicycle access points and ways;
2. Transit routes, facilities and availability;
3. Alternative modes utilization, including shuttle buses and carpool programs; and
4. Baseline parking demand and supply study (may be appended to application or waived if not applicable).

i. Infrastructure facilities and capacity, including the following items:
1. Water;
2. Sanitary sewer;
3. Stormwater management; and
4. Easements.

2. Maps and Plans.
a. Existing conditions site plan. Drawn at a minimum scale of one-inch equals one hundred feet (one inch=one hundred feet) that shows the following items. At least one copy shall be eight and on-half inches × eleven inches in size, and black and white reproducible.
1. Date, north point, and scale of drawing.
2. Identification of the drawing as an existing conditions site plan.
3. Proposed development boundary.
4. All parking, circulation, loading and service areas, including locations of all carpool, vanpool and bicycle parking spaces as required in Chapter 52 of this title.
5. Contour lines at two-foot contour intervals for grades zero to ten percent, and five-foot intervals for grades over ten percent.
6. A site plan or plans, to scale, for the General Development Plan site and surrounding properties containing the required information identified in OCMC 17.62.040.

b. Vicinity map. Depicting the location of the site sufficient to define its location, including identification of nearest cross streets. At least one copy of the vicinity map shall be eight and one-half inches × eleven inches in size, and black and white reproducible.
c. Aerial photo. Depicting the subject site and property within two hundred fifty feet of the proposed development boundaries. At least one copy of the aerial photo shall be eight and one-half inches × eleven in size, and black and white reproducible.

Finding: Complies as Proposed. All the o materials required to illustrate the existing conditions for the property were included in the submitted application, in addition to the required plans and drawings. A Transportation Impact Study for the project describing existing transportation facilities was prepared by Lancaster Mobley.

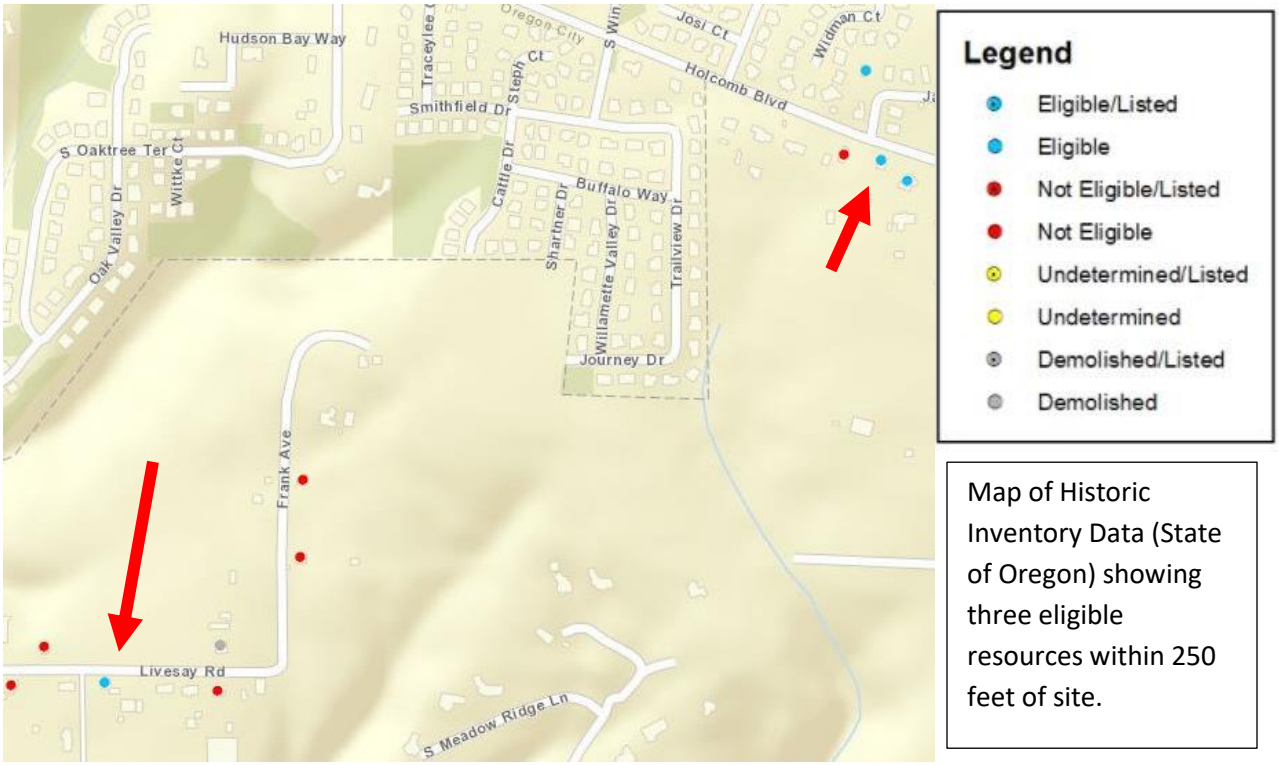
B. Proposed Development Submittal Requirements.
1. Narrative statement. An applicant shall submit a narrative statement that describes the following:
a. The proposed duration of the general development plan.
b. The proposed development boundary. May also reference submitted maps or diagrams.

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

d. An explanation of how the proposed development is consistent with the purposes of Section 17.65, the applicable zone district or districts, and any applicable overlay district.

e. A statement describing the impacts of the proposed development on inventoried Goal 5 natural, historic or cultural resources within the development boundary or within two hundred fifty feet of the proposed development boundary.

Finding: Complies as Proposed. The applicant provided explanations for subsections (a) through (e) in their narrative and other application materials. The applicant submitted a preliminary NROD study to describe Goal 5 resources. The applicant did not identify historic and cultural resources within 250 feet of the development boundary; while no resources are present on site, there are resources within 250 feet of the site. Three existing



Map of Historic Inventory Data (State of Oregon) showing three eligible resources within 250 feet of site.

eligible structures are within 250 feet of the site. Historic inventory forms for these structures are found in the Exhibits of this staff report. Two structures are on Holcomb Boulevard to the east of the subject property, and one structure is on Livesay Road to the south and west of the subject property. The proposed development will not impact the historic character or eligibility of these structures; no changes are proposed to the structures and they may remain in use before, during, and after development of this site.

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

1. Transportation impacts as prescribed in subsection g. below;

2. Internal parking and circulation impacts and connectivity to sites adjacent to the development boundary and public right-of-ways within two hundred fifty feet of the development boundary;

3. Public facilities impacts (sanitary sewer, water and stormwater management) both within the development boundary and on city-wide systems; including a phasing plan for all on-site and off-site public improvements, including but not limited to transportation, schools, parks, open space, trails, sewer, water and stormwater, with an analysis of the capacity and improvements required as a result of fully

implementing the plan. This analysis shall reference any adopted parks and recreation, public facilities plans and concept plans and identify specific funding mechanisms to address the adequacy of public facilities.
4. Neighborhood livability impacts;
5. Natural, cultural and historical resource impacts within the development boundary and within two hundred fifty feet of the development boundary.

Finding: Complies with Condition. The applicant provided a Transportation Impact Analysis that describes transportation impacts. Public facility impacts are described in the narrative. The applicant describes neighborhood livability impacts with the following statement:

> "The Park Place Crossing project abuts existing homes and neighborhoods only in a few areas. The Master Plan accommodates these areas by providing lots meeting the zoning standards, vegetative screening, and open spaces adjacent to some existing homes and
> neighborhoods. Where existing homes abut planned lots, those lots have been designed to be larger to provide a transition in density."

Staff finding and recommendations regarding neighborhood livability are found in section 17.65.050.C.5 and C.7.

The applicant did not identify historic and cultural resources within 250 feet of the development boundary; while no resources are present on site, there are resources within 250 feet. Three existing eligible structures are within 250 feet of the site. Historic inventory forms for these structures are found in the Exhibits of this staff report. Two structures are on Holcomb Boulevard to the east of the subject property, and one structure is on Livesay Road to the south and west of the subject property. The proposed development will not impact the historic character or eligibility of these structures; no changes are proposed to the structures and they may remain in use before, during, and after development of this site. Further refinement and review for potential impacts to natural, cultural and historical resources within the development boundary and within two hundred and fifty feet of the development boundary will occur at the time of DDP submittal.

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

h. In addition to the summary statement of anticipated transportation impacts, an applicant shall provide a traffic impact study as specified by city requirements. The transportation impact study shall either:
1. Address the impacts of the development of the site consistent with all phases of the general development plan; or
2. Address the impacts of specific phases if the City Engineer determines that the traffic impacts of the full development can be adequately evaluated without specifically addressing subsequent phases.
i. If an applicant chooses to pursue option h.1., the applicant may choose among three options for implementing required transportation capacity and safety improvements:
1. The General Development Plan may include a phasing plan for the proposed interior circulation system and for all on-site and off-site transportation capacity and safety improvements required on the existing street system as a result of fully implementing the plan. If this option is selected, the transportation phasing plan shall be binding on the applicant.
2. The applicant may choose to immediately implement all required transportation safety and capacity improvements associated with the fully executed general development plan. If this option is selected, no further transportation improvements will be required from the applicant. However,

if a general development plan is later amended in a manner so as to cause the projected average daily trips, the projected AM or PM peak hour trips, or the peak parking demand of the development to increase over original projections, an additional transportation impact report shall be required to be submitted during the detailed development plan review process for all future phases of the development project and additional improvements may be required.
3. The applicant may defer implementation of any and all capacity and safety improvements required for any phase until that phase of the development reaches the detailed development plan stage. If this option is selected, the applicant shall submit a table linking required transportation improvements to vehicle trip thresholds for each development phase.

Finding: Complies with Conditions: The submitted General Development Plan includes a Transportation Impact Study completed by Lancaster Mobley Engineering. The report discusses the uncertainty related to when the Holly Lane extension will be constructed and the changes to trip generation that would result from the street connection being made.

The report states:

> "Prior Annexation & Future Connectivity
>
> Regarding the analyzed mitigation at the intersections of Redland Road at OR-213 and Redland Road at Holcomb Boulevard/Abernethy Road, as well as the proportionate share fee contributions being collected at other transportation facilities in Oregon City (refer to the Off-site Trip Impacts section), the impact analysis detailed in this TIS for the Park Place Crossing Master Plan project may be overestimating trip impacts to some of these facilities.
>
> The subject property was annexed into the City of Oregon City in 2018. At that time, a comprehensive transportation impact analysis was conducted that examined build out of the master plan area. Conditions of approval for the annexation require the contribution of proportional share payments for traffic impacts at offsite intersections. However, the annexation TIS assumed the S Holly Lane connection between S Holcomb Boulevard and S Redland Road would have been constructed prior to or concurrent with full buildout of the Park Place Crossing Master Plan project.
>
> Because this application precedes the construction of the S Holly Lane connection, this TIS assumes all site-generated traffic uses S Holcomb Boulevard and the intersections of Redland Road at OR-213 and Redland Road at Holcomb Boulevard/Abernethy Road. Once the S Holly Lane connection is available, which is very likely to occur before the Park Place Crossing Master Plan site reaches full build out, some of the proportionate share fees, and particularly additional mitigation at these two off site intersections, may be reduced or possibly become unnecessary."

The report concludes:

> "To address this uncertainty, it is recommended that a trip accounting letter, and if necessary, an updated traffic analysis, be prepared as each phase of the project is constructed. Appropriate mitigation and proportionate share fee contributions will be evaluated on a phase-by-phase basis and collected at the time of each phase's final plat application. This will enable accurate tracking of projected impacts to the two Redland Road intersections and other transportation projects as well as provide the flexibility to allocate fee contributions based on the re-evaluated traffic analysis by phase."

The applicant, therefore, has deferred capacity and safety improvements until each phase is developed, in accordance with 17.65.050.B.i.3. Due to lack of certainty on what transportation system changes will be in place at the time of each phase, the applicant has not provided a table linking transportation improvements to vehicle trip thresholds. Instead, the applicant has proposed to provide either a trip accounting letter or an updated transportation study with each Detailed Development Plan (DDP) application. Staff finds that the trip accounting letter is acceptable for Phase 1, or up to 60 units. Any proposed development beyond phase 1 or 60 units shall provide an updated transportation study that measures impacts at HWY 213 and Redland Road as well as any other affected intersections as defined by the City's adopted Guidelines for Traffic Impact Analysis. Transportation impacts and improvements are discussed in 17.65.050.C.3.

The connection to Redland Road is necessary to comply with the Comprehensive Plan, the Park Place Concept Plan, and the street connectivity requirements of the city code. Discussions between city and county engineering and planning staff on July 12, 2022 regarding the timing of the Redland Road provided the following information relevant to making the connection.

The following projects are currently planned for in the Clackamas County Transportation System Plan:

- Holly Lane Bridge (TSP Number 1109): Bridge upgrades will be implemented at the bridge located about 120 feet south of the Holly Lane and Redland Rd intersection along Holly Lane. This project has funding and is planned to happen approximately 2027
- Redland Rd/Holly Ln Intersection (TSP Number 1120): CIP Intersection upgrade at Holly Lane and Redland is on the 20-year plan for the County – not currently funded
- The Intersection of Holly Lane and Redland will need to be signalized or converted to a roundabout because of sight distance concerns to be evaluated.
- The county will conduct a traffic control feasibility study for the intersection to determine what type of traffic control will function best – roundabout or traffic signal. We would most likely conduct the study in the fall/winter of 2022.
- A Development Permit will be required
- A land use permit from Clackamas County will not be needed if the proposal includes only the roadway. If other development is proposed, it may be subject to a land use permit. This conclusion is based on the conceptual alignment you provided during our meeting. Should the location of the road shift such that it passes through regulatory overlay zones (flood management district, habitat conservation area district, etc.), land use review may be required.

The timing of the improvements described above indicate that the earliest a connection to Redland Road could be made is 2027, since the connection cannot be made until the Holly Lane Bridge upgrades and intersection improvements are completed. Furthermore, the applicant is in the process of acquiring properties abutting the future alignment of the Holly Lane connection in order to accommodate the needed capacity and connectivity for the buildout of Phases 4-6 of the master plan area. It is reasonable to expect that the Holly Lane Connection will occur before the Phases 4-6 are completed. Therefore, the applicant shall provide a timeline and plan to complete the Holly Lane to Redland Road connection with the submittal of Detailed Development Plans for phases 4-6, or concurrent with the County's planned TSP Projects 1109 and 1120, whichever occurs first.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

j. For residential and mixed-use projects:

a. Proposed minimum lot area, width, frontage and yard requirements.

b. Proposed project density in number of units per acre.

Finding: Complies as Proposed. Proposed minimum lot area and density are discussed in Chapter 17.08 and 17.10 of this report and in the discussion of density on Page 26 of this report.

2. Maps and diagrams. The applicant shall submit, in the form of scaled maps or diagrams, as appropriate, the following information:

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

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

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

d. The approximate location, footprint and building square footage of buildings within of each phase of proposed development, and/or proposed lot patterns for each phase of future development.

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

Finding: Complies as Proposed. All the of required maps and drawings for a General Development Plan were included in the submitted application.

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

1. The proposed General Development Plan is consistent with the purposes of OCMC 17.65.

Finding: Complies with Conditions. The purpose of 17.65 is to "foster the growth of major institutions, phased residential, commercial or mixed-use development, and other large-scale development, while identifying and mitigating the impacts of such growth on surrounding properties and public infrastructure."

Applicant's response:
"The Park Place Crossing GDP provides valuable housing options within a phased residential Master Plan. The master plan facilitates the efficiency and flexible use of the project site to provide infrastructure, transportation systems, and utility networks while providing site layouts that include useable open space, site circulation, and general wellbeing."
Staff concurs that the applicant meets this standard with the recommended conditions of approval. **Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.**

2. Development shall demonstrate compliance with OCMC 12.04 16.12, 17.62, if applicable, and 16.08, if applicable.

Finding: See findings from sections 16.12, and 16.08 of this report.

Chapter 12.04 is not applicable at this time; it will apply upon review of Detailed Development Plans.

Chapter 16.12 is applicable because public infrastructure improvements will be required for this development and staff has reviewed the GDP for general overall consistency with the standards for public improvements.

Chapter 16.08 is applicable because the applicant has proposed a general layout of residential land divisions. While most standards in the Chapter apply directly to future DDP applications, staff has reviewed the GDP for compliance with respect to general feasibility.

Section 17.62, Site plan and design review, is not applicable at this time. Although the applicant has proposed parcels for future commercial development in the NC zone, no specific development is proposed at this time. Future DDP applications within the NC zone may be subject to OCMC 17.62 when development is proposed.

3. Public services for transportation, water supply, police, fire, sanitary waste disposal, storm-water disposal, and any other needed public services and facilities including schools and parks for proposed residential uses, are capable of serving the proposed development, or will be made capable by the time each phase of the development is completed.

Finding: Complies with Conditions. Each public service is evaluated in the findings below for compliance with this standard. For the purposes of this review, the term "capable" means that services have the ability to or are able to be extended or expanded to the degree necessary to serve the proposed development. Thus, while the necessary service does not have to be in place at the time of GDP or DDP review, the applicant must show that compliance is feasible; that these improvements can and will be in place at time that development occurs (i.e. when a housing unit is constructed and occupied).

<u>WATER</u>

Applicant response:

> "Within the project area, water is provided by the City and Clackamas River Water (CRW) (above 450 feet elevation). Service has been deemed sufficient by the City and CRW. These providers have an Intergovernmental Agreement (IGA) to provide these services. Water supply systems are shown on the Preliminary Plans (Exhibit A). The water infrastructure shown as part of the Park Place Crossing Master Plan is consistent with the Park Place Concept Plan and the City's Water Capital Improvement Projects Master Plan, including the January 2021 Water Distribution System Master Plan Amendment. The improvements shown are consistent with the approved concept plan for Park Place and the Water Master Plan. Further details will be submitted with future Detailed Development Plan applications."

Finding: Complies with Condition. The proposed water system for the development is a preliminary design but is consistent with the Park Place Concept Plan. A 12-inch transmission main will be installed within Holly Lane for a future Park Place connection to the 16 inch transmission main south of Livesay Road. An additional 12-inch main will connect Cattle Drive creating system looping which is ideal for water quality and for emergencies. Portions of the development (elevations greater than 450') will be served by Clackamas River Water (CRW), as confirmed by Betty Johnson of CRW through a public comment. Water mains on local streets will serve individual lots. No specific designs have been provided with this GDP however, further refined details will be provided and reviewed with each DDP. Like the sewer system, the water system will be built overtime and other developments may be built before subsequent phases. Each DDP will confirm that the existing water systems (City and CRW) have capacity and sufficient available fire flows for each phase of development. Coordination with CRW will also be required. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

<u>SANITARY SEWER</u>

Applicant response:

"Sanitary service for the project area will be provided by the Tri-City Sewer District. Annexation to the sewer district is required in the future prior to subdividing the land. A sanitary sewer modeling analysis has been completed and submitted to the City for review. The project area is planned to be served by several phases of sewer, illustrated on the Preliminary Plans (Exhibit A). Sanitary sewer is planned to be routed across Tour Creek adjacent to Oak Valley Drive until such time that gravity sewer becomes available as a permanent option through the improvement of abutting properties to the south and east. Due to grade issues in the southeast corner of the site (Phase 6), sanitary sewer will require pumping to gravity systems within an adjacent Phase of Park Place Crossing. The improvements shown are consistent with the approved concept plan and Sanitary Sewer Master Plan. Further details will be submitted with future Detailed Development Plan applications."

Finding: Complies with Condition. Conceptual plans for the sanitary sewer system have been provided to the City showing the routing for each phase of the development. The proposed sanitary sewer system will be built and routed initially through Holcomb Boulevard before it eventually is rerouted to Redland Road when Holly Lane is extended in the future. Interim sewer connections are proposed for Phase 1 at Trail View Drive and Journey Drive. A final interim connection during Phase 2 will reroute Phase 1's sewer through Phase 2 and connect via a pedestrian bridge to Oak Valley Drive to bring the flows to Holcomb Boulevard. Conceptual capacity calculations have been provided to the City. Specific details on the design and construction shall be provided with the detailed development plans for each phase. The City's sanitary sewer consultant has noted that sections of the existing sewer system, downstream of the development, are nearing capacity. The applicant shall provide updated downstream capacity calculations with system capacity upgrades (if needed) at each DDP to confirm that the City's sanitary sewer system can safely handle each phase of the development.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

STORMWATER

Applicant response:

The planned improvements are consistent with the Park Place Concept Plan and the City's Stormwater and Grading Design Standards. Stormwater facilities for the overall project are shown within the Preliminary Plans (Exhibit A). Temporary stormwater facilities for Phase 1 will be decommissioned and routed to regional facilities as part of Phase 2. This area will then be reclaimed for residential lots. Further analysis of the site's stormwater needs, and the prescribed management facilities are included within the Preliminary Stormwater Report (Exhibit F). Phase 6 stormwater, due to the aforementioned grading issues, are not planned to be routed to the regional facility. Phase 6 stormwater is anticipated to be treated and managed within private stormwater planters and directed to the natural area. The planned stormwater management methods and facilities are appropriate and consistent with City requirements. Further details will be submitted with future Detailed Development Plan applications.

Finding: Complies with Condition. The applicant has provided a preliminary stormwater report showing conceptually how the development will manage its stormwater. The proposal includes a temporary stormwater pond for Phase 1, proposed to be replaced with a larger regional public stormwater pond that will serve all Phases, to be constructed during proposed Phase 2.

The city received a number of public comments regarding stormwater runoff concerns. The applicant's proposal addresses stormwater impacts from the greater impervious surface, by accommodating all stormwater into a system to manage and detain stormwater through planters and detention ponds on site. Stormwater

management will be required to meet City Standards for treatment and flow control. Each subsequent DDP will submit detailed stormwater management plans for each phase. The Stormwater and Grading Design Standards will require hydrology to be studied as part of the analysis.

Access has been proposed for maintenance. Each DDP will be reviewed to verify that a tract for public stormwater facilities continues to be provided. With each DDP, the developer shall provide updated engineered drainage plan(s), drainage report(s), and design flow calculation report(s) stamped and signed by a licensed engineer addressing all items from Section 9.3 & 9.4 of the Public Works Stormwater and Grading Design Standards prior to receiving a permit and beginning construction. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

TRANSPORTATION/STREETS

Applicant response: "Streets, as illustrated within the Preliminary Plans, are designed to serve the project site and connect it to the surrounding street network. Holly Lane, a planned Collector Street, will ultimately serve as the main thoroughfare through the project site and the "North Village" outlined within the Park Place Concept Plan. Holly Lane is anticipated to connect S Holcomb Boulevard with S Livesay Road within the project site and the portions of the Park Place Concept Area beyond. The planned streets comply with those envisioned within the Park Place Concept Plan and City standards. Further details will be submitted with future Detailed Development Plan applications. This criterion is met."
Finding: Complies with Conditions. The applicant submitted a Transportation Impact Analysis report completed by Lancaster Mobley Engineering. The report was reviewed by the city's Transportation Consultant, John Replinger. It is important to note that the data was adjusted to account for variability resulting from pandemic-related traffic patterns. According to Mr. Replinger,

> **"**The TIS included extensive discussions about the traffic volumes that included adjustments to account for the COVID-19 pandemic. The engineer used traffic counts conducted in 2017 on Holcomb Boulevard near the site; 2019 counts from Highway 213; and new counts from April 2021. The engineer also used mid-week traffic volumes on Highway 213 for each July from 2017 through 2021 to assess the impact of the pandemic on traffic volumes. The engineer used appropriate methods and documented his conclusions. The adjustments appear adequate to account for base year 2021 conditions at the intersections in #1, above.

The applicant provided total trip generation data for the AM and PM peak hours, as well as daily trips. As Mr. Replinger points out,

> **"**It is also important to recognize that the trip generation for the residential development proposed under this GDP is less than the total trip generation presented in the TIS for the annexation and rezoning approved in the prior land use action. The trip cap established with the annexation and rezoning was 538 AM peak hour trips; 679 PM peak hour trips; and 7,406 total weekday trips. The number of trips generated by the proposed residential development is comfortably below the adopted trip cap and leaves substantial trips available for commercial development on the remaining portions of the property subject to the annexation and rezoning."

The proposed GDP assumes there will not be a connection of Holly Lane to Redland Road (a project identified in the TSP) to accommodate traffic from this residential development. For the purposes of this residential development all traffic connects with Holcomb Boulevard utilizing either new or existing streets.

The engineer evaluated traffic patterns and traffic volumes and evaluated five locations. The key intersections were:

1. Holcomb Boulevard and Winston Drive
2. Holcomb Boulevard and Barlow Drive(existing)/Holly Lane (future)
3. Holcomb Boulevard and Street A
4. Oregon Highway 213 and Redland Road
5. Redland Road and Abernethy Road/S Holcomb Boulevard

All intersections are shown to meet applicable mobility standards over the proposed Master Plan development period except for #4: OR Highway 213 and Redland Rd. The engineer concludes in the TIS: "Based on the results of the operational analysis, the intersection of Redland Road at OR-213 is projected to operate in excess of acceptable per jurisdictional standards during the 2nd evening peak hour under 2026 buildout conditions (Phase 1) and for all succeeding analysis scenarios through year 2030." During second highest hour of the PM peak, the calculated v/c is predicted to degrade from 0.982 under existing conditions to 1.032 in 2030 with the development. The standard for this intersection for the second peak hour found in OCMC 16.12.033.A.2 is "During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole."

Mr. Replinger concludes that,

> "The TIS provides sufficient information and documentation to satisfy the requirements of OCMC 17.65.050 C 3 with respect to adequacy of the transportation system for Phase 1 of the proposed development. For Phase 1, all intersections operate acceptably. However, the TIS indicates that the intersection of OR-213 and Redland Road fails to meet the applicable v/c standard for the second hour of the PM peak hour. In addition, queues that exceed available storage distance are predicted at the intersection of OR-213 and Redland Road and at the intersection of Redland Road/Abernethy Road/Holcomb Boulevard.
>
> A detailed development plan for Phase 1 will not need additional transportation analysis beyond that provided in this TIS.
>
> Detailed development plans for any phase beyond Phase 1 will require additional analysis and implementation of mitigation measures that demonstrate that the transportation system is "capable of serving the proposed development, or will be made capable by the time each phase of the development is completed" in accordance with OCMC 17.65.050 C 3. Specifically, the applicant will need to implement improvements at the intersection of OR-213 and Redland Road and at the intersection of Redland Road/Abernethy Road/Holcomb Boulevard such that v/c standards are met and adequate queue storage is provided. The burden is on the applicant to coordinate with and meet the requirements of the agencies with jurisdiction over the subject intersections and roadways (i.e. the Oregon Department of Transportation, Clackamas County and the City of Oregon City)."

Although Mr. Replinger found that no additional transportation analysis was necessary as part of the DDP review for Phase I, he did identify the following proportional share payments to mitigate for transportation impacts resulting from Phase I development:

TSP Project	**Estimated TSP Project Cost ($000)**	**Total PM Peak Entering Volume (2035)**	**$/trip**	**Phase 1 Trips**	**Phase 1 Share $**
Redland/Holly D36	$1,040	688	$545	1	$545
Holcomb/Holly D43	$1,040	1899	$1512	61	$92,232
I-205 SB Ramps/ OR 99E D75	$2,990	5690	$525	5	$2,625
I-205 NB Ramps/ OR 99E D76	$1,970	6155	$320	5	$1,600
Hwy213/Redland D97	$10,105	6540	$1545	22	$33,990
Redland/ Holcomb/ Abernethy	na	2273	na	35	na
Hwy213/Beavercreek D94	$2,800	6935	$404	5	$2,020
Holcomb Blvd Sidewalk Infill W11, W12, W13	$3,035	1135*	$2674	50	$133,700
Holcomb Blvd Bike Lanes B12	$560	1135*	$493	50	$24,650
Holcomb Blvd Pedestrian Crossings C3, C4, C5, C6	$140	1135*	$123	50	$6,150
* Two-way PM peak volume on Holcomb Boulevard east of Redland Road/Holcomb Blvd/Abernethy Road intersection					

The calculated proportional share amounts for Phase 1 shall be required at the time of final plat for Phase 1 unless amended by an updated transportation study provided by the applicant as part of the DDP review.

Detailed development plans for any phase beyond Phase 1, or 60 units, will require additional analysis and implementation of mitigation measures that demonstrate that the transportation system is "capable of serving the proposed development, or will be made capable by the time each phase of the development is completed" in accordance with OCMC 17.65.050 C 3. Specifically, the applicant shall show that improvements have been made to OR-213 and Redland Road and at the intersection of Redland Road/Abernethy Road/Holcomb Boulevard such that v/c standards are met and adequate queue storage is provided before ~~development can be approved~~building permits are approved for half the units in Phase 2.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

PRIVATE UTILITIES

Applicant response:

"Electric, Gas, and other telecommunications utilities are planned to be routed and arranged as needed and appropriate within right-of-way and adjacent Public Utility Easements (PUEs). The provision of these services is anticipated to be consistent with City requirements. Further details will be submitted with future Detailed Development Plan applications."

Finding: Complies as Proposed. No comments were received form private utility providers and it is the applicant's responsibility to coordinate private utility provisions.

EMERGENCY SERVICES

Applicant response:

"Police service to the project site will be provided by the Oregon City Police Department (OCPD). OCPD previously submitted a response to Ordinance No. 18-1007 (AN-17-0004/ZC-17-0005) indicating that the resources to serve this area were available.

Park Place Crossing is within Clackamas Fire District #1, which provides fire protection for Oregon City and surrounding areas. Clackamas Fire District #1 provided pre-application conference comments requesting further information about the project, which have been provided within the Preliminary Plans (Exhibit A).

Emergency Medical Services for the area are provided by Clackamas Fire District #1 and American Medical Response (AMR) through contract with Clackamas County."

Emergency services to the planned project are satisfactory and consistent with applicable requirements. Temporary emergency access will be available to Phase 1 from Shartner Drive, as depicted within Sheet P-08 (Exhibit A). Temporary emergency access to Park Place Crossing will be available via the Holly Lane/S Livesay Road connection. At each of these locations, during their appropriate phases, removable barriers will allow emergency traffic to travel to and through Park Place Crossing. Further details will be submitted with future Detailed Development Plan applications.

Finding: Complies as Proposed. Conceptual plans have been provided with this GDP identifying general street dimensions, turning radii and slopes. No comments were received from Clackamas Fire District. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed with subsequent DDP applications.

SCHOOLS

Applicant response:

"The project site is served by the Oregon City School District. The School District provided comments for the annexation and zone assignment applications for this property. In those comments, the School District voiced no major concerns regarding school capacity or serving the new homes as build-out of the project aligned with the School District's stated timeline to provide additional school capacity and several other methods of providing or shifting capacity are available."

Finding: Complies as Proposed. The City has not received comments from the Oregon City School District at this time. The findings at the time of annexation in AN-17-04 stated:

"The subject property is served by Oregon City Public Schools. The schools serving this site are Redland Elementary School, Ogden Middle School, and Oregon City High School. Although there will be no immediate development of this site that would impact the school system, discussions with School District staff indicate that there are no immediate capacity problems with these schools.

A letter dated March 13, 2017 from Mr. Wes Rogers, Director of Operations for Oregon City Public Schools, regarding school capacity associated with the Serres property annexation (File AN-16-0004, ZC 16-0001) makes the following comments regarding the subject annexation of approximately 92 acres:

> *"As to the larger 92 acre Park Place/Holcomb annexation mentioned by Mr. Givens but is not a direct part of this file, the District has always known that as the Park Place Concept Plan was significantly developed, additional elementary and middle school capacity would have to be constructed. Currently the elementary school of attendance for this area would be Redland Elementary.*
> *Forecasted enrollment growth is not new to the District and the Oregon City School Board and administration have been studying facility needs for the past several years. Although well maintained, District facilities do not support current educational practice and all District facilities are in need of serious renovation or replacement and in some cases minor expansion. Preliminary plans to ask for a school construction bond have not been finalized but the current draft scenario shows that the District (with voter support) would have additional middle school capacity within 5 years and additional elementary school capacity within 5-10 years. In the meantime the District has several other tools to help with over capacities by installing semi-permanent buildings and/or redrawing attendance boundaries."*

Staff coordinates with the Oregon City School District during the development review process in accordance with adopted Comprehensive Plan Goals and Policies. Standard procedures for the Planning Division includes notice of all land use actions, both long range and current proposals, to the School District, the School District actively participates at pre-application conferences in anticipation of development. The School District, not the City, is responsible for long range planning of needed school facilities."

Since the time of the annexation, voters approved a bond measure for the Oregon City School District to fund capacity increases for two middle schools, including Ogden Middle School, which is within the South Village area of the Park Place Concept Plan boundaries, near Holly Lane.

PARKS

Note: with the proposed 8/11/2022 revision, the amount and layout of the original park has changed. See "Summary of Revisions submitted 8/11/2022" on pages 15 and "Project Description" on page 19.

Applicant response:
"Per the Park Place Concept Plan, a park is provided at the southwest corner of the subject site. Approximately 4.4 acres of public park have been anticipated to be provided to the City. Future expansion of the park, as needed to fulfill the Park Place Concept Plan's envisioned final 8–10-acre requirement for the community park and as shown within Exhibit N, is possible through provision by neighboring properties. Park lands are planned to be provided to the City of Oregon City with Phase 2 of Park Place Crossing (approximately 2024/2025 planned construction date). It is expected that timing will allow inclusion of the park facility within an update of the City's Parks Capital Improvement Projects list. The details of park construction and SDC-creditable projects are anticipated to be determined at a later date. Coordination is needed with the Park Department in order to amend the City's Parks Master Plan/Capital Improvement Projects list and outline the process and details for the transfer of ownership as part of Phase 2."
Finding: Complies with Conditions. The Park Place Concept Plan says the following about the community park in the North Village:

> "The parks are intended to provide basic recreational opportunities for residents and may include amenities such as play equipment, athletic fields, picnic tables or shelters, walking trails, and other features. The neighborhood park in the North Village is approximately eight to ten acres and within walking distance of the Livesay Main Street." (Final Concept Plan, Page 31)

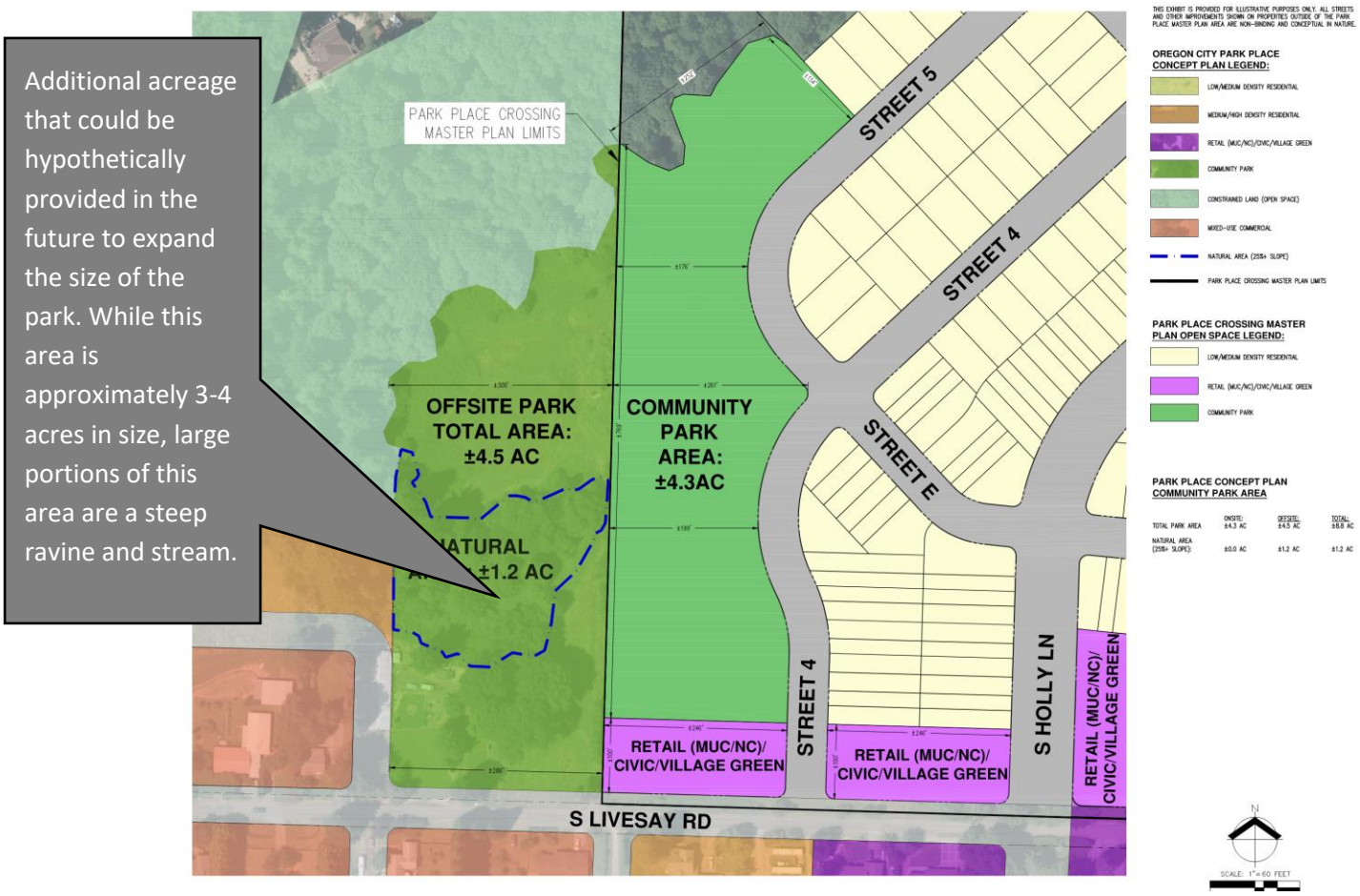
With the 8/11/2022 revisions, the applicant proposed to dedicate 4.3 acres of land within the project site for a public park. This land is in the southwest corner of the site and is slightly different from the location of the park envisioned in the Park Place Concept Plan. The location is a relatively flat area of the project site and is adjacent to the village center retail/civic parcels as well as the proposed attached housing areas. The location is generally consistent with the Concept Plan. The amount of acreage proposed to be dedicated is proportional to the number of housing units proposed, as discussed in the applicant's narrative. The park in the North Village is planned to be at least 8 acres in size, and the applicant has provided a shadow plat demonstrating where additional acreage could be included in the park on neighboring properties outside of the project area.

During the public hearing process, concerns were raised that the proposed location of the park was not consistent with the North Village area for several reasons:

- The location as proposed did not have sufficient public street frontage and was inaccessible
- Additional local street connections were important to the west of Holly Lane
- The amount of land zoned Neighborhood Commercial fronting on Livesay Road was insufficient.

In response to these and other concerns, the applicant proposed revisions which were presented to the Planning Commission on July 11 and July 25, with staff providing analysis in the current staff report for the September 25, 2022 hearing.

An excerpt of the applicant's revisions is provided below.



Commenting on the original proposal, the City's Parks Director Kendall Reid submitted a comment indicating that the proposed location and size of the park dedication is suitable and would be accepted by the City and developed as a park in the future. Mr. Reid also indicated:

> *"We would request that streets and utilities be extended to the park frontage, but we would not request that the applicant build any improvements within the park itself; the City will also utilize its own funding for the development of the park with recreational amenities. The dedication of the land should occur at Phase 1 to give the public certainty that park land will be provided within the project area if the full 92-acre development is not implemented in a timely manner."*

The applicant included the park area within the boundaries of proposed Phase 2 of the development, but did not indicate when the land would be dedicated to the City. Because the phasing plan is tentative and subject to change, and because the conditions of approval on this Master Plan will require significant transportation improvements in order to make Phases 2 through 6 feasible, the City cannot reasonably rely on the applicant's ability to complete any development beyond Phase 1 in a timely manner. Thus, the applicant shall contribute a fee-in-lieu for parks to be calculated based on $4,783.80 per unit for park land cost plus $3,664 per unit for park improvement costs increased at 18% per annum, to be paid at the time of final plat recording of Phase I of the project. This amount shall be held by the City in the form of a surety until at least 4.3 acres of parkland in the location identified in the GDP exhibit is dedicated to the City. The 4.3 acres of park land shall be dedicated to the City at the time of final plat recording of Phase 2. See memorandum explaining these calculations in Exhibit 7.

Regarding the shadow plat, Mr. Reid indicated the following:

> *"The Parks Department would also accept a larger dedicated park space, especially given that the Park Place Concept Plan calls for an 8–10-acre park in this location. While the shadow plat map shows how additional land could be incorporated into the park in the future to create a larger park, the additional land shown is constrained by steep slopes and a stream, which would limit usable park space and would preclude various recreational uses such as athletic fields and playgrounds. It is not clear how 8 to 10 acres of open, relatively flat public park land would be fully accommodated under this plan."*

It is apparent that a larger park space dedicated within the subject property would be more consistent with the Concept Plan than the current proposal, because it would allow for more park acreage to be usable, flat land rather than constrained areas in overlay zones. The 4.3 acres should be seen as a floor, with flexibility for the applicant to revise the plans and provide more park space through a future detailed development plan.

The applicant did not explicitly discuss the timing of actual development of the park. While the City plans to take on development of the amenities within the park, the applicant's contribution should be significant; given that the park will serve as the required open space for a majority of the proposed units and for the larger Park Place community, which is underserved by parks. Public infrastructure including, water, sewer, storm, and street improvements shall be brought to and through the public right-of-way frontage of the park before or during the development phase that includes 60% of the approved residential units.

The Planning Commission will need to balance the need to provide a minimum number of housing units in this portion of the concept plan (see density discussion earlier in this report) with what is reasonably proportional for the applicant to dedicate for parkland, taking into account the revised road layout, which provides greater connectivity and street frontage for the park, and the amount of Civic and Neighborhood Commercial land on Livesay Road.

The North Village area, of which this proposal comprises about half, centers around community needs such as parks, civic and open spaces, shopping, and higher density residential areas. The area of the site that is zoned NC is approximately 4.5 acres. The applicant has proposed two parcels of 0.5 acres and 0.8 acres for future commercial or civic development, which is less than half the NC zoned acreage. is consistent with the Park Place Concept Plan, which was supported by a market analysis to determine how much land could be reasonably expected to develop with neighborhood-scale commercial uses.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

4. The proposed General Development Plan protects any inventoried Goal 5 natural, historic or cultural resources within the proposed development boundary consistent with the provisions of applicable overlay districts.

Finding: Complies with Condition: The applicant states:

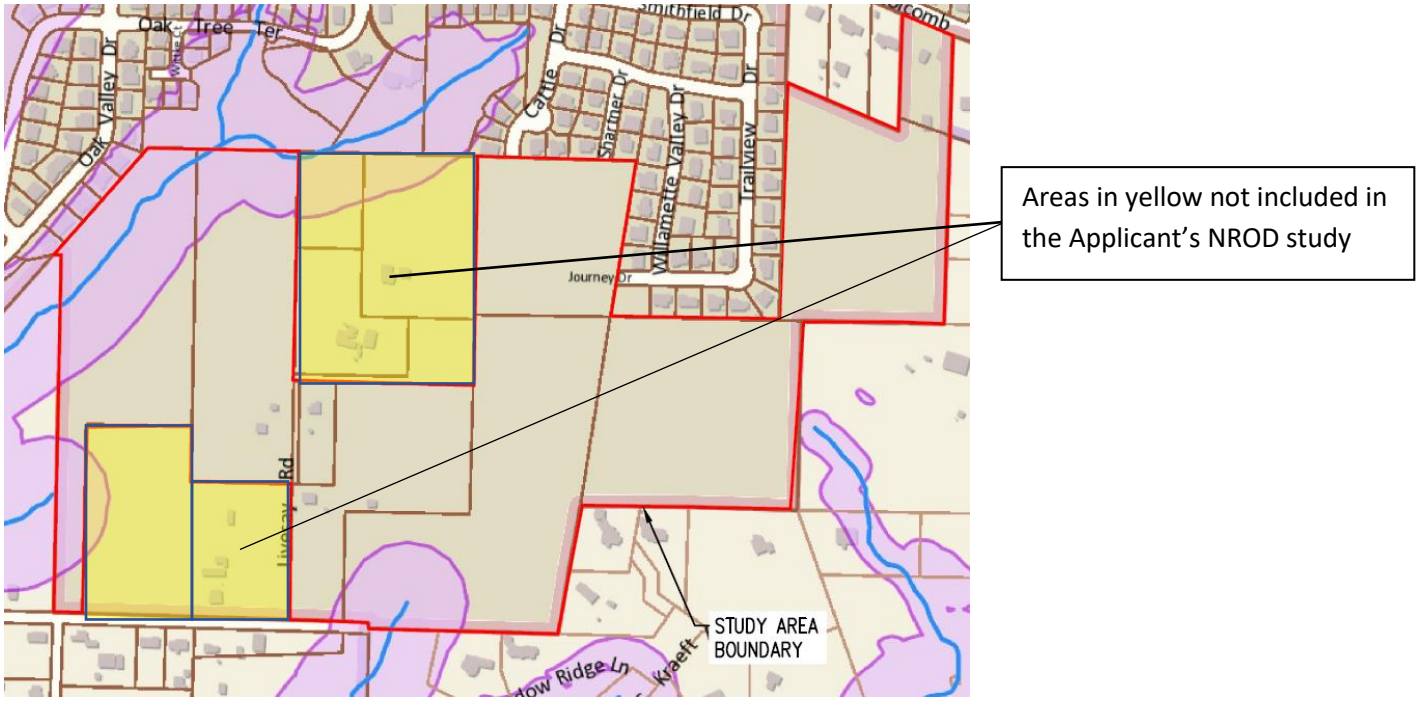
> "The General Development Plan included as part of this application lays the foundations for the protection of inventoried Goal 5 natural resources such as those within the Natural Resources Overlay District (NROD). These areas are preserved within open space areas on the outskirts of the site and are addressed within the NROD Memorandum (Exhibit G) prepared as part of this application for General Development Plan. Future Detailed Development Plans will provide further details regarding these areas. Historic or cultural resources are not known to be present within the site boundaries. Physical alterations are not planned with this application for General Development Plan. Further details will be submitted with future Detailed Development Plan applications."

No known historic or cultural resources are present in the project boundaries. Following the pre-application conference for the proposed development, the city sent notice of potential ground disturbance to five tribal entities: the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation. The Confederated Tribes of the Umatilla Indian Reservation responded with the following statement:

> "Confederated Tribes of the Umatilla Indian Reservation (CTUIR) Cultural Resources Protection Program (CRPP) has reviewed the proposed projects in your letter dated July 23. As PA 21-04, PA 21-14, and PA 21-15 are within one of our areas of concern, the CRPP recommends conducting archaeological surveys with subsurface testing prior to development. Please let me know if you have any questions or concerns."

The city does not have any standards that require archaeological surveys beyond those that have been inventoried and subject to overlay protections as required by the Comprehensive Plan; however, the applicant is subject to statutory requirements regarding cultural and archeological resources.

Significant portions of the site are within the City's mapped Natural Resources Overlay District (NROD) to protect Goal 5 resources on site, including streams and wetlands.

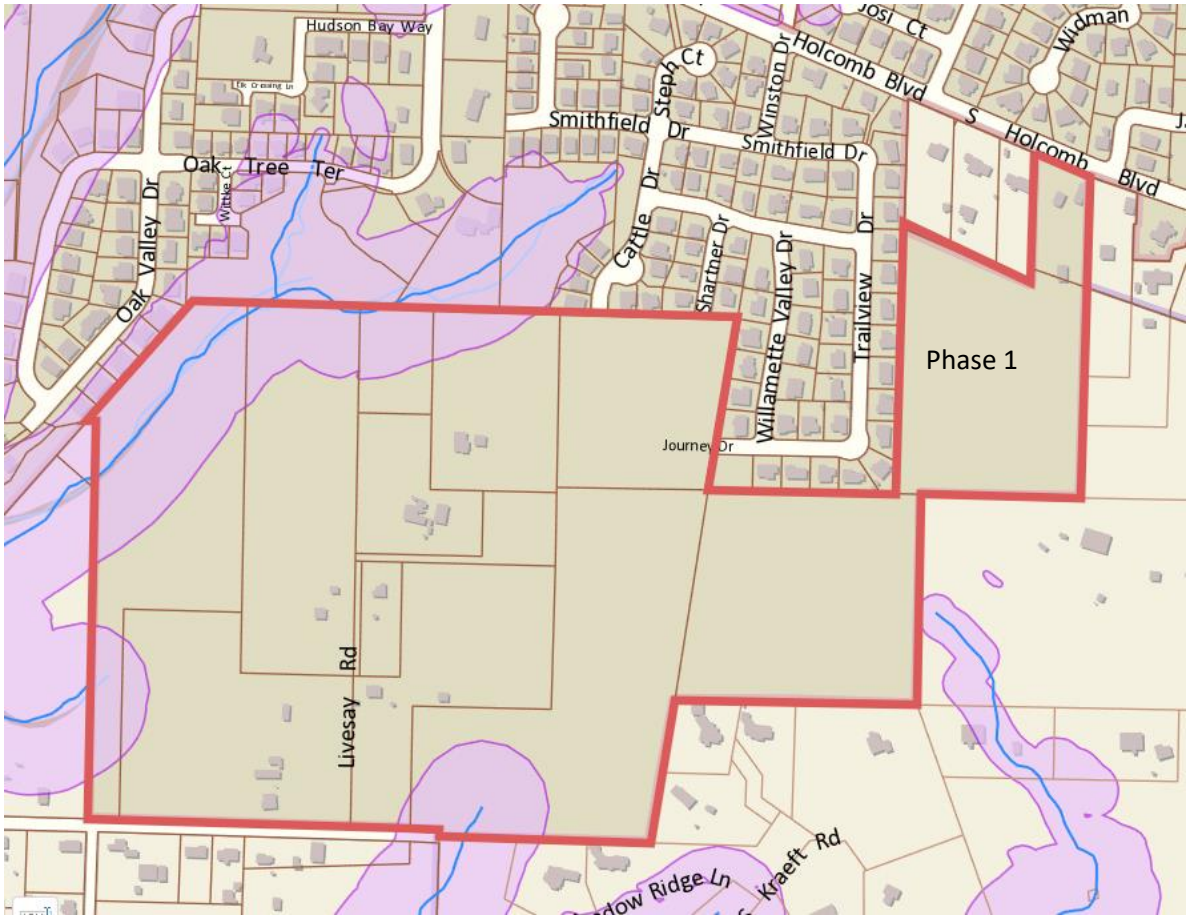


Applicant's Preliminary NROD Study area map

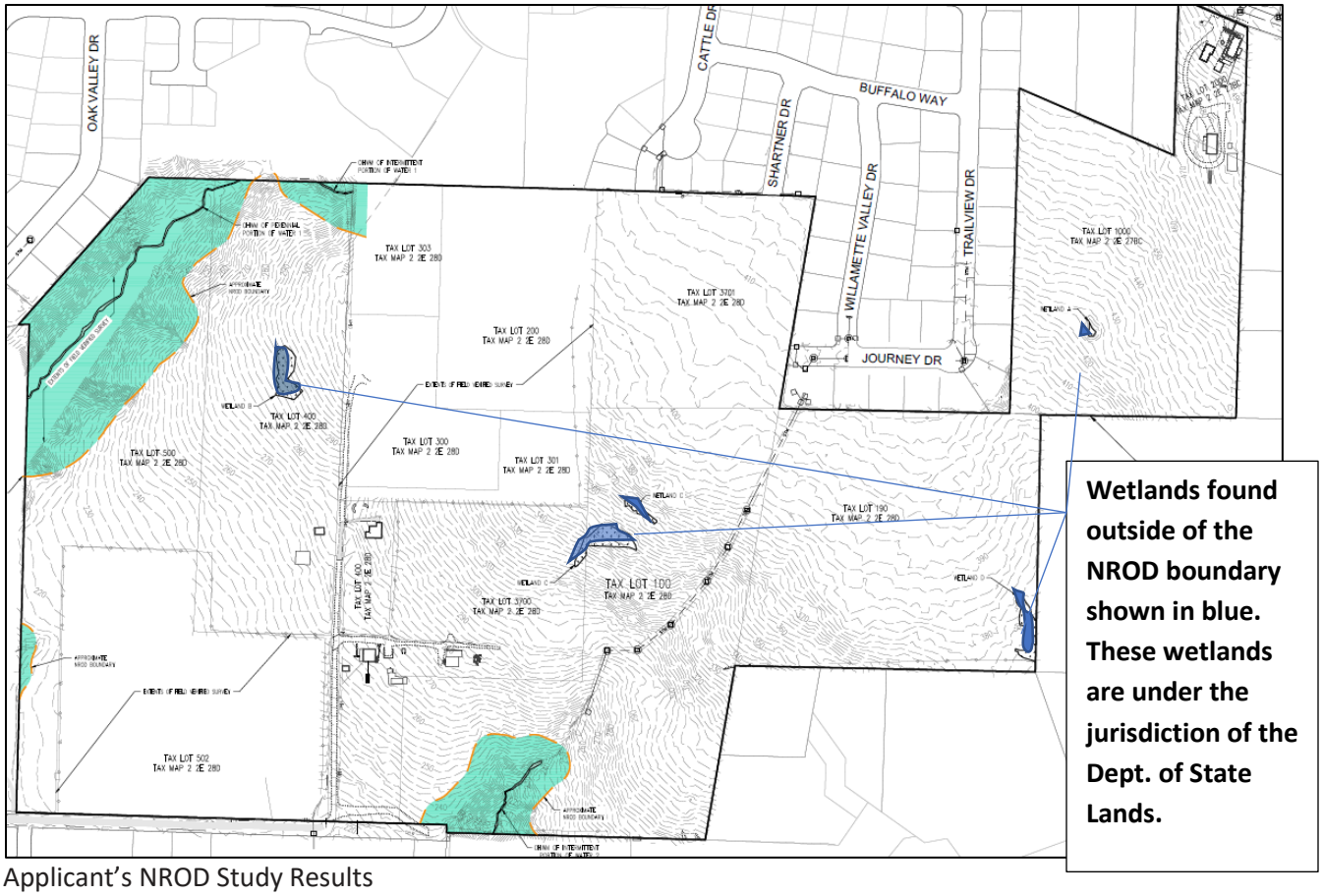
The applicant did not request Natural Resource Overlay District verification through OCMC 17.49 as part of this application. Thus, NROD areas shown on the applicant's maps have not been formally verified and may change as more site-specific development analysis as part of the DDP review occurs. A preliminary NROD study was submitted with this application, which includes the following information:

- A few parts of the overall site were not included in the NROD study area. The resources in these areas could affect the subdivision layout and overall development intensity in those portions of the site. Master Plan amendments may be required with future detailed development plans to ensure the level of "protection" required by this criterion.
- Two streams and one ephemeral stream were delineated by the applicant.
- The identified streams are proposed to be protected by a 50+ foot vegetated corridor as required in OCMC 17.49. No parts of the NROD overlap with any proposed residential development except for three residential lots in the SE corner of the site that have partial NROD in their backyard areas. Again, since the NROD is not formally verified, the overlay boundaries are subject to change and the preliminary findings of the NROD report may be modified.
- The proposal includes some limited disturbance in the NROD for a pedestrian path and pedestrian bridge over the stream.
- Stream delineations will be submitted with detailed development plan applications to verify the exact location of the NROD boundary
- Four wetlands outside of the City's NROD boundary were found. These are not protected by NROD because they are outside of the mapped NROD boundary. The applicant will obtain any required permits from the Department of State Lands, who regulates these wetlands.

See findings in OCMC 17.49. Any Natural Resources Overlay District areas impacted by development will be reviewed for compliance with this section either before or at the time of first DDP application. Since Phase 1 area does not contain any mapped resources, an NROD review is not required for the proposed Phase 1 area.



Mapped NROD Boundary



Applicant's NROD Study Results

The wetlands are outside of the adopted NROD overlay and thus are not subject to NROD review. However, they are subject to protection under Comprehensive Plan Policies in Goal 5; see findings in OCMC 17.65.050.C.6.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

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

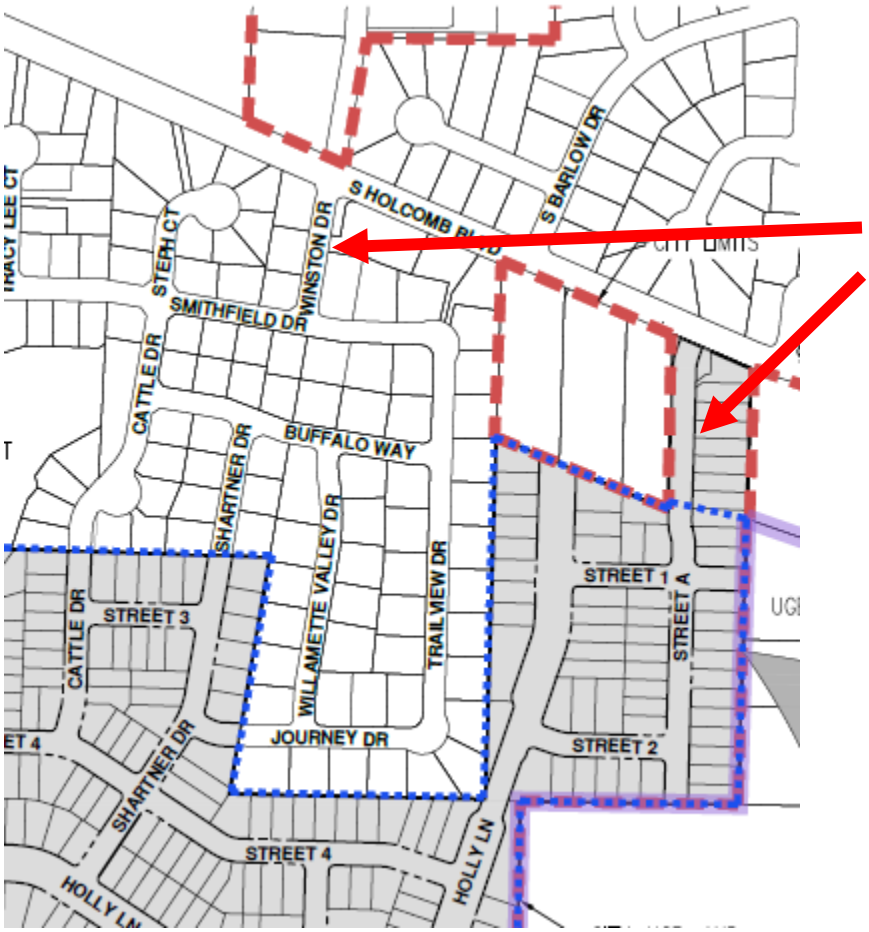
Finding: Complies with Conditions. The applicant's response to this criterion is

> "Phasing of the General Development Plans allows for the orderly provision of transportation facilities and utilities to new areas and eventual connection as planned within the City's Transportation System Plan and Utility Master Plans. Further details are available within the Transportation Impact Study (Exhibit E) and will be submitted with future Detailed Development Plan applications. This criterion is met."

The applicant has not sufficiently acknowledged the obligation to not only identify, but also to "mitigate identified impacts from each phase of development." In addition to the public utility adequacy obligations discussed above, the applicant fails to acknowledge any neighborhood livability impacts of the development and therefore has not proposed adequate mitigation.

The applicant's traffic studies show that an extension of Holly Lane to Redland Road is not needed to comply with transportation mobility standards. Thus, the proposal does not propose to construct this street connection and instead relies on Holcomb Blvd to provide access to the development. While the mobility standards are satisfied, the proposal is not consistent with the criterion, as well as a number of Goals and Policies of the Comprehensive Plan, when it comes to substantial increase in vehicular pass-through traffic on local streets impacting neighborhood livability.

While the City does not have standards for levels of traffic on local streets, the applicant's transportation study projects daily trip generation that would greatly exceed levels typically associated with local residential streets. To mitigate these impacts, staff recommends conditions of approval for traffic calming elements, and ultimately, a street connection to Redland Road to provide another access point to distribute traffic.



As proposed, two local street access points will be used to access the development by vehicle. One, Street A, is a new street in the development. The other, Winston Drive, is an existing street that currently provides a single vehicular access for 108 residential lots.

Holly Lane would be expected to be connected to Holcomb Blvd eventually, but this connection is not proposed by the applicant due to lack of property control.

The trip generation calculations in the applicant's original Transportation Impact Analysis show that the proposed project will create an additional 290 morning peak hour trips, 390 evening peak hour trips, and 4,064 average weekday trips.

AVERAGE WEEKDAY TRIPS BY PHASE (through Phase 3):
Phase 1: 622
Phase 2: 2,750 total (2128 from Phase 2 itself)
Phase 3: 3,230 weekday total (480 from Phase 3 itself)

The applicant proposes to make the street connections to Cattle Drive, Shartner Drive, and Journey Drive as part of phase 3. For these three phases, site trips are expected to be distributed between the Street A connection and S Winston Drive as follows:

- Phase 1: All site trips will utilize Street A.
- Phase 2: All site trips will utilize Street A.
- Phase 3: All site trips will utilize S Winston Drive. Additionally, approximately 75 percent of site trips generated by Phase 2 will reroute from Street A to S Winston Drive.

TOTAL: 480 Phase 3 trips plus 1596 (75% of phase 2 trips) = 2076 daily trips using S Winston Dr after Phase 3 (in addition to existing trips from the 108 existing residential lots)

Therefore, by the time Phase 3 is developed and the local street connections are made to Cattle Drive, Shartner Drive, and Journey Drive, an additional estimated 2,076 daily trips will be directed onto Winston Drive. In total, at the time of completion of all Phases of the GDP (full buildout), trips from an additional 341 homes are expected to use Winston Drive to access Holcomb Blvd, further adding to the volume of traffic on these local streets.

For comparison purposes, Average Daily traffic (ADT) on other local city streets based on 2021 volume studies are as follows:

- 16th St – West of Division ADT: 517 trips
- Front Street (in Park Place) near Forsythe ADT: 449 trips
- Apperson north of Holcomb ADT: 692 trips

According to Metro's 2018 Regional Transportation Plan, "Local streets primarily provide direct access to adjacent land uses, and usually between 200- 2,000 vehicles per day, with volumes varying by jurisdiction." The City does not have an adopted standard for traffic volume on local streets. However, a street with 2,000 or more trips per day will feel, to the adjacent resident, more like a collector street. The level of traffic would have noise impacts as well as effects on the ability of children to play in or near the street. Local streets in Park Place are generally quiet and conducive to activities like walking, bicycling, sports, and other non-automotive uses. With the traffic levels at 2,000 trips per day or more, the livability of the neighborhood and enjoyment of these activities, as well as overall safety, would be significantly affected.

The completion of the Holly Lane segment to Holcomb Blvd is not proposed by the applicant due to lack of property control, but the applicant indicates that they expect this segment to be constructed before full buildout. The Holly Lane/Holcomb connection would alleviate some traffic from the Winston Drive route - the applicant's traffic analysis estimates how the traffic patterns would change once the Holly Lane connection is made to Holcomb Blvd:

> *"Provided the S Holly Lane connection to S Holcomb Boulevard is constructed following full buildout of the Master Plan and development of tax lots 800 and 1600, the interim Street A connection will be closed, and a majority of trips projected to utilize S Winston Drive are expected to reroute to S Holly Lane. Trips are expected to be redistributed as follows:*
>
> - *Phase 1: All site trips will utilize S Holly Lane.*
> - *Phase 2: All site trips will utilize S Holly Lane.*
> - *Phase 3: Approximately 50 percent of site trips will utilize S Holly Lane and the other 50 percent will utilize S Winston Drive.*

• Phase 4: Approximately 50 percent of site trips will utilize S Holly Lane and the other 50 percent will utilize S Winston Drive.
• Phase 5: Approximately 50 percent of site trips will utilize S Holly Lane and the other 50 percent will utilize S Winston Drive.
• Phase 6: All site trips will utilize S Holly Lane."

This analysis demonstrates that the volume of traffic on Winston Drive and the streets leading to it could be reduced; however, there is no guarantee if or when that the connection of Holly Lane and Holcomb Blvd will be made. A street connection from the project site down to Redland Road would be expected to carry at least half of the trips from this development, and would therefore provide significant reduction in traffic through the Winston Drive area. As described in the Traffic Impact Analysis for the annexation, the extension of Holly Lane to the south to intersect with Redland Road will have a significant impact on the trip distribution. That connection would be expected to significantly reduce the traffic on Winston Drive. Note that some traffic from Phase 2 would still be expected to use Winston Drive to get to Holcomb Blvd even if Holly Lane were constructed completely (all the way from Redland Road to Holcomb Blvd.)

Recommended conditions that would ensure adequate mitigation through the Redland Road connection include:

a. At the time street connections are made to Cattle Drive and Shartner Drive, the applicant shall add traffic calming elements within the new streets that lead to Cattle Drive, Shartner Drive, Journey Drive, Smithfield Drive and Winston Drive including speed humps, traffic circles, or chicanes, to promote safe speeds. The applicant shall also provide traffic volume and speed data at three selected locations to the City to enable the City to evaluate the potential for a traffic calming and/or a speed limit change to 20 mph on the existing local streets.
b. The applicant shall measure average daily trip volume on Winston Drive, Cattle Drive and Shartner Drive at the time of each DDP application that would route trips on these streets. If trips (total existing plus new) will exceed 2,000 per day on any of these streets, the applicant shall ensure a secondary street connection is provided to the south connecting to Redland Road, so that drivers have multiple route choices.

Public comments raised concerns about existing pedestrian and bike safety on Holcomb Blvd, which will be exacerbated by added traffic volumes from this development. The conditions of approval from AN 17-04 require the applicant to pay proportional share for related TSP projects including several TSP projects for sidewalks and bike lanes on Holcomb Blvd. The applicant will be required by a condition of approval to pay proportional share at each phase; for phase 1 the amount is approximately $160,000. The City will use the funds to supplement other funding sources to implement sidewalk infill and other safety improvements along Holcomb Blvd. See findings in 17.65.050.C.3.

6. The proposed general development plan is consistent with the Oregon City Comprehensive Plan.
Finding: Complies with Conditions.

<u>ANALYSIS OF PROPOSAL'S CONSISTENCY WITH PARK PLACE CONCEPT PLAN</u>
The Park Place Concept Plan is an ancillary document to the Comprehensive Plan and as such, the applicant is required to demonstrate compliance with it. It is important to note that the plan is conceptual, designed at a high-level and allows variability based on actual topographic and health and safety overlay limitations. General

findings for compliance are included here, with more detail provided within the Comprehensive Plan Policies and throughout this staff report.

The applicant submitted an analysis (See "Park Place Concept Plan Analysis from Applicant") noting how the proposal is consistent with the plan. The applicant also submitted a shadow plat drawing to demonstrate how future street extensions and amenities could be provided to be consistent with the plan. The applicant's overall proposal is consistent with the Park Place Concept Plan except where noted below:

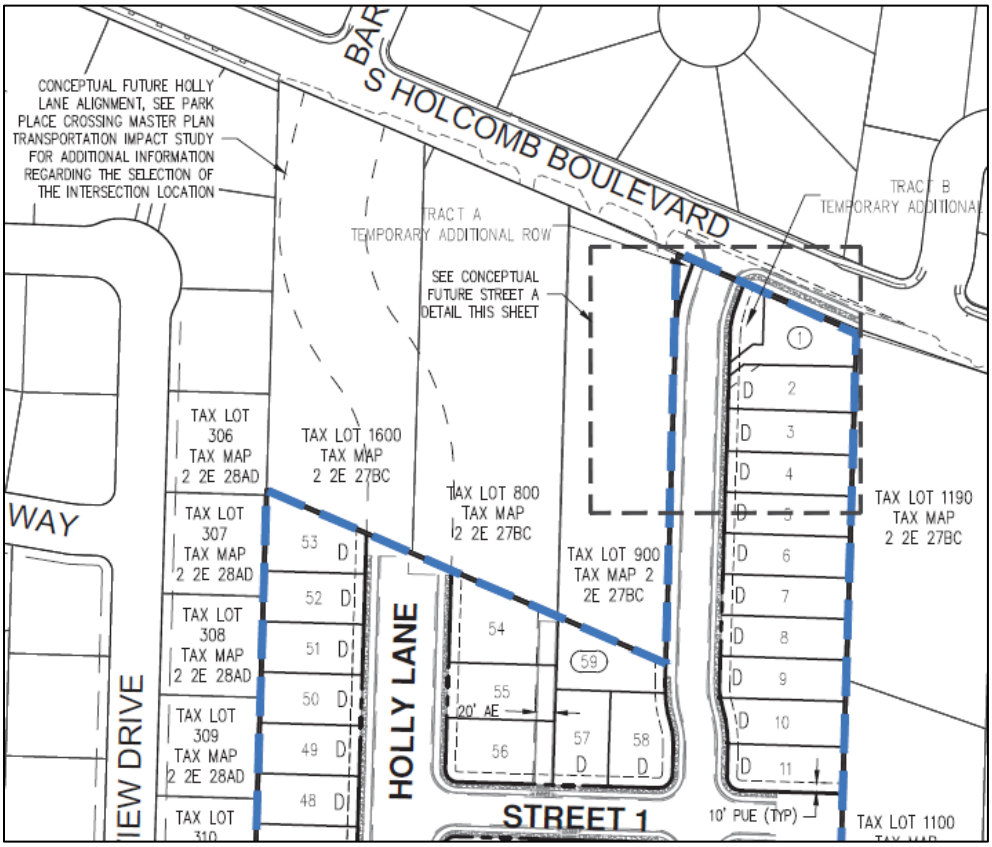
LAND USES, DENSITY AND LOT SIZE

The applicant's proposal is generally consistent with the land uses, density and lot sizes envisioned in the Park Place Concept Plan. Please refer to the Density Discussion on page 26.

TRANSPORTATION

The Park Place Concept Plan envisions the main access to the Concept Plan area from Holcomb Blvd will be through a connection of Holly Lane. The applicant proposes a future Holly Lane connection to line up with Barlow Drive on the north side of Holcomb Blvd, rather than the location shown in the Park Place Concept Plan. The applicant worked with City staff on this change, which is beneficial in that it allows the Holly Lane intersection to eventually line up with Barlow Drive rather than be placed farther east, which is less safe due to its proximity with the Jada Way intersection. The property where the future connection is proposed (Taxlot 2-2E-27BC-01600) is not one of the 14 properties included in the General Development Plan and has not yet been annexed into the City limits. The applicant indicates that future Holly Lane extension to Holcomb Blvd could be made before full buildout of the GDP, and has addressed the trip distribution changes that would result from that in their Transportation Impact Analysis. In the interim, the applicant has proposed the access from Holcomb Blvd to be through a new local street "A."

Park Place Concept Plan (left) versus applicant's proposal (right)



Street A shown connecting to Holcomb Blvd to provide access to the proposed development

The Holly Lane connection to Redland Road is a major element of the Park Place Concept Plan and a critical link in the City's long-term Transportation System Plan. The applicant's traffic study indicates that an extension of Holly Lane to Redland Road is not needed to comply with transportation mobility standards. Thus, the proposal does not propose to construct this street connection and instead relies on Holcomb Blvd to provide access to the development. While the mobility standards might technically be met, the proposal is not consistent with Goals and Policies of the Comprehensive Plan and Master Plan standards, which require mitigation of neighborhood livability impacts. This proposal directs all of the new development traffic onto local streets at levels that greatly exceed typical local street volumes.

The proposal provides local street connections to existing neighborhood street stubs, which is consistent with the Concept Plan. The connectivity within the development and to future urban areas to the south and east has not been adequately provided. See findings and conditions in Comprehensive Plan Goal 12.

URBAN DESIGN

All residential development will be subject to design standards in OCMC 17.21, which was adopted in 2008 to fulfill the urban design goals of the Concept Plan. The purpose statement in OCMC 17.21 is "The intent of this chapter is to ensure new residential development implements the goals and policies of the Park Place Concept Plan area and the historic architectural styles of Oregon City. Appropriate architectural residential styles include: Western Farmhouse/Vernacular, Bungalow, Queen Anne Vernacular and Foursquare."

The applicant has requested an adjustment to the garage placement standard in OCMC 17.21 Findings for the adjustment request are provided in 17.65.070 of this staff report. Staff recommends denial of the adjustment on the basis of its lack of consistency with the Park Place Concept Plan.

The applicant has addressed the plan elements of neighborhood commercial amenities, trail connections, and public parks by providing a proportional amount of space for these uses. However, the applicant has not indicated the timing of these elements. Recommended conditions of approval for timing of park and commercial/civic development, and trail connections are included in the Comprehensive Plan findings.

ANALYSIS OF PROPOSAL'S CONSISTENCY WITH COMPREHENSIVE PLAN GOALS AND POLICIES

Analysis of the proposal's consistency with the 15 Comprehensive Plan sections is below:

Section 1: Citizen Involvement

Goal 1.1 Citizen Involvement Program

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

Finding: Complies as Proposed. The Applicant participated in a regularly scheduled Park Place Neighborhood Association meeting in accordance with OCMC 17.50. Notice was provided in accordance with this section. The City mailed notices to properties within 300 feet of the site, including properties outside of the Urban Growth Boundary, on March 29, 2022, more than 20 days prior to the first hearing.

Prior citizen involvement efforts in the planning for the development area and the larger Park Place Concept Plan has been extensive, including:

- The public engagement process for the development of the Park Place Concept Plan from early 2006 to mid-June 2007
- The legislative hearing process for adoption of the plan (File L-07-01), from July 2007 to April 2008;
- The legislative hearing process for adoption of zoning code to implement the plan (File L08-01), from August 2008 to July 2010
- Several annexation petitions for portions of the current development area which were approved, but rejected by the voters of Oregon City:
    - AN 07-08
    - AN 07-05
    - AN 09-01
    - AN 11-01
- The annexation and zoning for the current development (AN 17-04 / ZC 17-05).

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. The applicant held a meeting with the Park Place Neighborhood Association on May 17, 2021.

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.
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.
Goal 1.5 Government/Community Relations
Provide a framework for facilitating open, two-way communication between City representatives and individuals, groups, and communities.
Goal 1.6 CIC Continuous Development
Support the CIC's team spirit and dedication to community involvement to ensure continuous improvement.
Goal 1.7 Neighborhood Plans
Adopt neighborhood plans that encompass a broad range of concerns for each neighborhood over a five-to ten-year period as refinements of the Oregon City Comprehensive Plan.
Finding: Not Applicable. These Goals and Policies within Section 1 pertain to actions that are to be taken by the City to implement its land use planning program through regulation and do not impose any substantive requirements in the evaluation of quasi-judicial proposals. As such, the applicant is not required to demonstrate compliance with these policies.

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 planned single-family detached and attached residential project utilizes existing code provisions for adjustments to allow for more efficient use of the subject site. These adjustments, allowed through the master plan process include lot size reductions and density adjustments. Adjustments to density standards of the R-5 zoning district allow for the establishment of residential areas to implement the projected Park Place Concept Plan and support the envisioned
Park Place commercial areas while preserving open spaces and natural areas. Reduced lot sizes support the needed densities and housing unit counts anticipated by the City.

Policy 2.1.1
Create incentives for new development to use land more efficiently, such as by having minimum floor area ratios and maximums for parking and setbacks.
Finding: Not Applicable. This policy pertains to actions that are to be taken by the City to implement this objective through zoning regulations. As such, the applicant is not required to demonstrate compliance with this Policy.

Policy 2.1.2
Encourage the vertical and horizontal mixing of different land-use types in selected areas of the city where compatible uses can be designed to reduce the overall need for parking, create vibrant urban areas, reduce reliance on private automobiles, create more business opportunities and achieve better places to live.
Finding: Not Applicable. This policy pertains to actions that are to be taken by the City to implement this objective through zoning regulations. As such, the applicant is not required to demonstrate compliance with this Policy.

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 developments to vary from prescriptive standards if planned and
approved under this provision.
Finding: Complies as Proposed. As an approximately nine-two acre area with planned mixed uses, the project is a larger development. A master plan is also required per Condition of Approval of the project area's annexation Ordinance No. 18-1007 (AN-17-0004/ZC-17-0005). The applicant has submitted this General development plan to fulfill this condition. The application also proposes adjustments to standards consistent with this policy that encourages flexibility in master planned developments.

Policy 2.1.4
Use redevelopment programs such as urban renewal to help redevelop underutilized commercial and industrial land.
Finding: Not Applicable. This policy pertains to actions that are to be taken by the City to implement this objective through zoning regulations. The applicant is not required to demonstrate compliance with this Policy. The City does not have an urban renewal district in the Park Place area.

Goal 2.2 Downtown Oregon City
Finding: Not applicable. This goal pertains to actions that are to be taken by the City in the downtown area. The applicant is not required to demonstrate compliance with these policies.

Goal 2.3 Corridors
Finding: Not applicable. This goal pertains to transit corridors, but no transit corridors are present within or adjacent to the development. The applicant is not required to demonstrate compliance with these policies.

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 with Conditions. Park Place Crossing is planned to be a complete and vibrant neighborhood that provides a unique selection of active open spaces and trails, a city park, and mixed-use commercial areas to support local commerce opportunities. Adjustments to lot size and density requirements allow for the conservation of steep slope and drainageway areas envisioned by the Park Place Concept Plan.

The planned street, pathway, and trail layout allows for connectivity between the project and existing and future neighborhoods using a variety of transportation methods. The planned trail crossing of Tour Creek will allow for connectivity between Park Place Crossing and existing neighborhoods to the northwest of the project. The ease of travel within Park Place Crossing will allow neighborhood residents to stay within the nearby area for recreation, outdoor enjoyment, and shopping within the Park Place North Village.

The Park Place Concept Plan envisions an extension of a collector street, Holly Lane, south to Redland Road to serve this development without impacting local neighborhoods with unusual volumes of traffic.

The applicant has not proposed to construct the Holly Lane connection to Redland Road with this proposal. The proposal would have significant impacts on existing neighborhood local streets related to traffic volumes. By adding high volumes of vehicle traffic on existing local streets, the proposal would impact the sense of place and neighborhood identity within the subdivisions that utilize Winston Drive. These impacts are discussed within OCMC 17.65.050.C.5 with recommended conditions of approval.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

Policy 2.4.1
Develop local neighborhood plans to strengthen and protect residential neighborhoods and historic areas from infill development; such as development along linear commercial corridors.
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 applicant has provided uses and a layout that is generally consistent with the Park Place Concept Plan. Park Place Crossing is planned to be a complete and vibrant neighborhood that provides a unique selection of active open spaces and trails, a City park, and commercial areas to support local commerce opportunities. Adjustments to lot size and density requirements allow for the conservation of steep slope and drainageway areas envisioned by the Park
Place Concept Plan. The commercial and civic spaces will provide opportunities for points of interest and activity centers. The applicant has not proposed specific uses for these parcels.

Policy 2.4.3
Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.

Finding: Complies with Conditions. The proposal includes a small commercial node that is connected to the residential areas to the north via a public street and trail system. The applicant has also proposed connections to existing residential neighborhoods to the north and west where feasible. The Park Place Concept Plan envisions an extension of a collector street, Holly Lane, south to Redland Road to provide connectivity to the south. However, the applicant has not proposed to construct the Holly Lane connection to Redland Road, instead

proposing that all local traffic will be directed to Holcomb Boulevard. The resulting impacts of due to this lack of connectivity are discussed within OCMC 17.65.050.C.5 with recommended conditions of approval. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Policy 2.4.4
Where environmental constraints reduce the amount of buildable land, and/or where adjacent land differs in uses or density, implement Comprehensive Plan and zoning designations that encourage compatible transitional uses.
Finding: Complies as Proposed. The applicant has provided uses and a layout that is generally consistent with the Park Place Concept Plan. The denser development is proposed on the flatter portions of the site where no environmental constraints are present. The zoning in place provides a transitional use on the western edge where the R-10 zone transitions into the NROD overlay.

Policy 2.4.5
Ensure a process is developed to prevent barriers in the development of neighborhood schools, senior and childcare facilities, parks, and other uses that serve the needs of the immediate area and the residents of Oregon City.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City to implement this objective through zoning regulations. Land uses listed in this policy would be reviewed through subsequent site plan and design review applications and if applicable, conditional use permits reviewed by the Planning Commission. The applicant is not required to demonstrate compliance with these policies.

Goal 2.5 Retail and Neighborhood Commercial
Encourage the provision of appropriately scaled services to neighborhoods.
Finding: Complies as Proposed. The Park Place Crossing Master Plan proposes to implement the Park Place Concept Plan, which organizes the area into a North and South Village. The North Village, of which this proposal comprises about half, centers around community needs such as parks, civic and open spaces, shopping, and higher density residential areas. The applicant has proposed two parcels of 0.5 acres and 0.8 acres for future commercial or civic development. The acreage devoted to such uses is consistent with the Park Place Concept Plan, which was supported by a market analysis to determine how much land could be reasonably expected to develop with neighborhood-scale commercial uses.

Policy 2.5.1
Encourage the redevelopment of linear commercial corridors in ways that encourage expansion of existing businesses and infill development, and at the same time reduces conflicting traffic movements, improves the aesthetic character of these commercial areas, and encourages trips by transit, bicycling and walking.
Finding: Not applicable. This goal pertains to linear commercial corridors, which are not present within the project area. The applicant is not required to demonstrate compliance with these policies.

Policy 2.5.2
Allow and encourage the development of small retail centers in residential neighborhoods that provide goods and services for local residents and workers. Generally, these centers should be located at the intersections of two or more streets that are classified as neighborhood collectors or higher.
Finding: Complies with Condition. The Park Place Crossing Master Plan implements the Park Place Concept Plan, which organizes the area into a North and South Village. The North Village, of which this is a part, centers around community needs such as parks, civic and open spaces, shopping, and higher density residential areas.

The Mixed Use/Civic/Village Green area has been revised to three parcels of 0.51 acres, 0.56 acres and 1.26 acres (total 2.43 acres), bisected by an additional local street to provide a continuous corridor for the Livesay Main Street area, updated to include only uses permitted within the Neighborhood Commercial zone, and

provide additional transportation connectivity that better integrates this area with the Park Place Crossing neighborhood and future Park Place North Village areas.

The acreage of the Mixed Use/Civic/Village Green area within the proposed development is consistent with the Park Place Concept Plan, which was supported by a market analysis to determine how much land could be reasonably expected to develop at full build-out of the area with neighborhood-scale commercial uses. The market assessment prepared for the PPCP[2] concluded:

> "The study area is expected to support between 20,000 and 40,000 square feet of retail space when fully developed. The area has limited access points, making it an unlikely candidate for more regional serving retail services. From a market perspective, a commercial center that can capitalize on through traffc from existing arterials will increase the viability of retail space, particularly during the study area's build-out period.
>
> Office space demand within the study area will respond to community needs, supported by the area's population base and industrial activity. Likely tenant types would include medical offce, insurance brokerages, realty companies, title companies, and other professional office users. These types of office tenants will often utilize ground floor commercial space, as they have a significant amount of customer traffic, but could be located in more traditional office configurations.
>
> Commercial development in the planning area is not seen as necessary for the success of the area, which is expected to be developed largely as residential. The commercial needs of the planning area could be met outside of the concept planning area by existing and planned developments. Commercial development can serve in the role of organizing the concept plan, providing a community center. In addition, commercial development can meet some of the needs of the community, providing a marketable amenity for the residential development while reducing trips out of the neighborhood."

The 2.43 acres of NC zoned development proposed in the most recent revisions is consistent with the PPCP, with an expectation that additional NC zoning will occur along Livesay Road as additional properties develop. The comprehensive plan designation of MUC for the North Village area measures approximately 14 acres, which is easily sufficient to support further neighborhood commercial development for the buildout of the area, as well as providing additional opportunities for mixed-use residential development, smaller multifamily units, three-plexes and four-plexes.

The Park Place Concept Plan, which is an ancillary document to the Comprehensive Plan, envisions small-scale retail uses to serve the neighborhood, saying "Small-scale commercial businesses, like a coffee shop, bookstore, dry cleaners, or café, are proposed to anchor the intersection of Holly Lane Extension and Livesay Main Street and surround the Village Green." Commercial development can meet some of the needs of the community, providing a marketable amenity for the residential development while reducing trips out of the neighborhood.

The City's Economic Development Manager James Graham submitted a letter supporting the commercial parcels as important for community amenities and for the city's tax base, and expressing concern that there is no proposal for development or uses on these parcels. He points out that they may sit vacant if action is not taken to encourage their development. Mr. Graham requests that the applicant install public infrastructure to make the sites shovel-ready at or before the overall development for the GDP reaches 60% completion, and that the applicant offer the City a right of first refusal to purchase the two parcels in the future.

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[2] Market Assessment prepared by the firm Johnson Gardner, See Pages 47-58 of Appendix B to the Park Place Concept Plan.

Notwithstanding the Economic Development Manager's desire to obtain a right of first refusal on the commercial parcels, at the very least, in order to encourage the development of these parcels in a timely manner, the applicant shall ensure that public infrastructure including, water, sewer, storm, and street improvements are brought to and through the frontage of the commercial parcels before or during the development phase that includes 60% of the approved residential units. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Policy 2.5.3
Review design standards and the sign code to ensure compatibility with existing neighborhoods.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City to implement this objective through zoning regulations. The applicant is not required to demonstrate compliance with these policies.

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 Park Place Crossing Master Plan implements the Park Place Concept Plan, which organizes the area into a North and South Village. The North Village, of which this is a part, centers around community needs such as parks, civic and open spaces, shopping, and higher density residential areas. The applicant has proposed the higher density uses (attached housing) adjacent to the commercial areas, with the lower density residential uses farther removed from the commercial zones that will encourage the success of the commercial area.

Policy 2.5.5
Encourage commercial and industrial development that enhances livability of neighborhoods through the design of attractive LEEDTM-certified buildings and environmentally responsible landscaping that uses native vegetation wherever possible, and by ensuring that development is screened and buffered from adjoining residential neighborhoods and access is provided by a variety of transportation modes.
Finding: Complies as Proposed. The Park Place Crossing GDP reserves space for commercial space in line with the Park Place Concept Plan and provides pedestrian and vehicular connectivity to the future North Village Town center. The City has not adopted standards for LEED buildings and the applicant has not indicated what types of buildings would be developed on the commercial parcels or how they would be designed. Compliance with landscaping standards would be reviewed if and when site specific plans for any commercial development within the NC zones are proposed.

Policy 2.5.6
Develop a concept plan for South End that includes commercial designations in an amount sufficient to serve the needs of the South End neighborhood. The area designated as "Future Urban Holding" on South End Road lacks sufficient commercial services.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City in the South End area. The applicant is not required to demonstrate compliance with these policies.

Goal 2.6 Industrial Land Development
Ensure an adequate supply of land for major industrial employers with family wage jobs.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City for industrial land. No industrial zoning or uses are proposed within the Park Place Concept Plan area. The applicant is not required to demonstrate compliance with these policies.

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 Park Place Crossing Master Plan is designated as Medium Density Residential (MR), Mixed Use Corridor (MUC), and Low Density Residential (LR). The General Development Plan is consistent with the applicable requirements of the Oregon City Municipal Code that implement these Comprehensive Plan designations.

Section 5: Open Spaces, Scenic and Historic Areas, and Natural Resources
Goal 5.1 Open Space
Establish an open space system that conserves fish and wildlife habitat and provides recreational opportunities, scenic vistas, access to nature and other community benefits.
Finding: Complies as Proposed. Open spaces along creeks, drainageways, and steep hillsides are set aside for conservation in accordance with the Park Place Concept Plan.

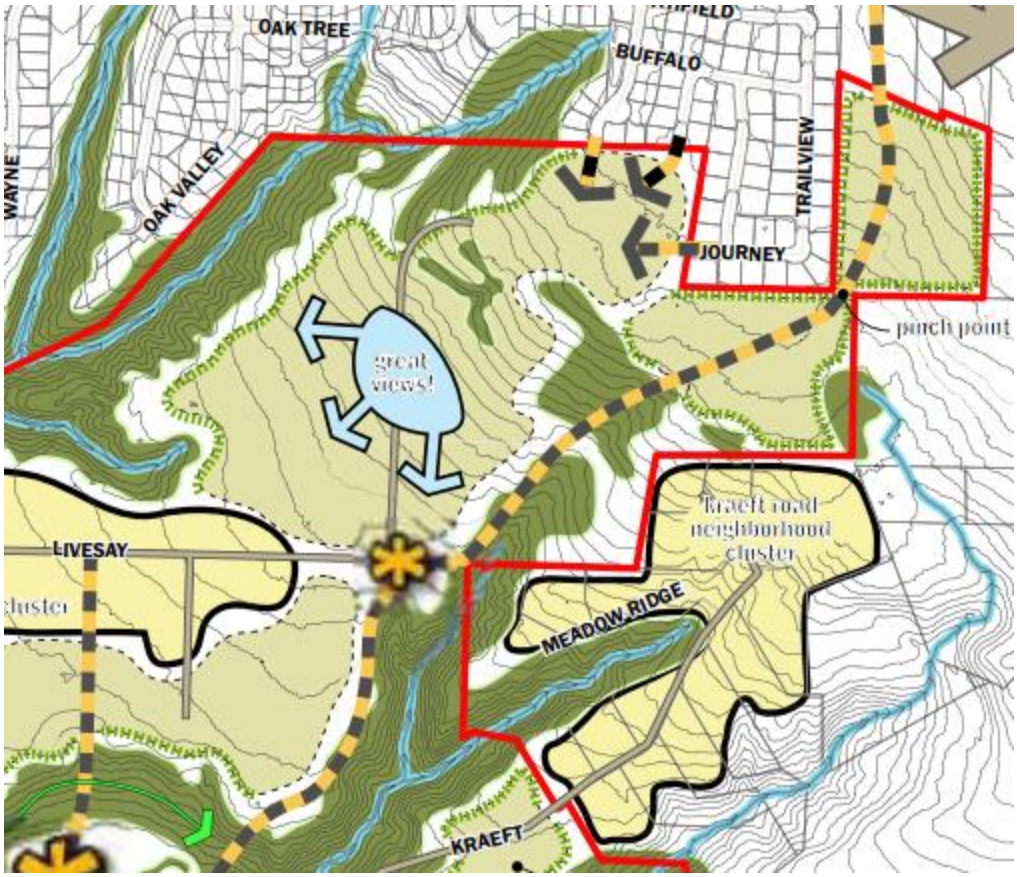
Policy 5.1.1
Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.
Finding: Complies as Proposed. Open spaces along creeks, drainageways, and steep hillsides are set aside for conservation in accordance with the Park Place Concept Plan. The site is not within the 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. Open spaces are planned to provide conservation areas for streams, wetland, riparian areas, recreational trails, scenic views and outdoor education. Built features, such as the planned bridge connection across Tour Creek, will be reviewed with an upcoming Detailed Development Plan application and is planned to harmonize with the natural surroundings.

Goal 5.2 Scenic Views and Scenic Sites
Protect the scenic qualities of Oregon City and scenic views of the surrounding landscape.

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. The Park Place Concept Plan identified a scenic view area within the boundaries of the project site. The area shown in the figure below is where the applicant has proposed various residential lots and public streets in accordance with the concept plan for the area indicated. There is no specific direction in the Concept Plan about how scenic views should be protected for the general public. As the applicant is bound by height standards in the base zoning dimensional standards, it is unlikely that development will have any significant effects on views. The revisions presented to the Planning Commission on July 11, 2022 include a re-aligned park area bounded by a local street, which will provide better access and views into the park and adjacent open space area for all residents. The city has adopted standards for landscaping, placement, height, mass, color, and window reflectivity.



Goal 5.3 Historic Resources

Encourage the preservation and rehabilitation of homes and other buildings of historic or architectural significance in Oregon City.

Finding: Complies as Proposed. There are no existing historic designated or eligible structures on the site. There are a few eligible structures just outside the project boundary. These structures are not expected to be impacted by the proposal.

Policy 5.3.1

Encourage architectural design of new structures in local Historic Districts, and the central Downtown area to be compatible with the historic character of the surrounding area.

Finding: Not applicable. This goal pertains to actions that are to be taken by the City in historic districts; this area is not within a historic district. The applicant is not required to demonstrate compliance with these policies.

Policy 5.3.2

Evaluate the establishment of Historic and Conservation Districts to preserve neighborhoods with significant examples of historic architecture in residential and business structures.

Finding: Not applicable. This goal pertains to actions that are to be taken by the City in historic areas; this area is not identified as a potential district and while there are some eligible resources present outside the project boundary, the project site is not a neighborhood with significant examples of historic architecture. The applicant is not required to demonstrate compliance with these policies.

Policy 5.3.3

Promote the designation of qualifying properties outside Historic and Conservation Districts as historic.

Finding: Not applicable. There are no existing historic designated or eligible structures on the site. There are a few eligible structures just outside the project boundary. These structures are not expected to be impacted by the proposal and could be designated in the future.

Policy 5.3.4
Support the preservation of Oregon City's historic resources through public information, advocacy and leadership within the community, and the use of regulatory tools and incentive programs.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 5.3.5
Support efforts to obtain historic designation at the city, state and national levels for public and private historic sites and districts. Natural and cultural landscapes should also be considered.
Finding: Not applicable. There are no existing historic designated or eligible structures on the site. There are a few eligible structures just outside the project boundary. These structures are not expected to be impacted by the proposal and could be designated in the future.

Policy 5.3.6
Maintain Oregon City's status as a Certified Local Government in the National Historic Preservation Program.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 5.3.7
Encourage property owners to preserve historic structures in a state as close to their original construction as possible while allowing the structure to be used in an economically viable manner.
Finding: Not applicable. There are no existing historic designated or eligible structures on the site. There are a few eligible structures just outside the project boundary. These structures are not expected to be impacted by the proposal and could be designated in the future.

Policy 5.3.8
Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.
Finding: Not applicable. There are no existing historic designated or eligible structures on the site. There are a few eligible structures just outside the project boundary. These structures are not expected to be impacted by the proposal and could be designated in the future.

Goal 5.4 Natural Resources
Identify and seek strategies to conserve and restore Oregon City's natural resources, including air, surface and subsurface water, geologic features, soils, vegetation, and fish and wildlife, in order to sustain quality of life for current and future citizens and visitors, and the long-term viability of the ecological systems.
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 5.4.2
Cooperate with Clackamas County, Metro and other agencies to identify and protect wildlife habitat, distinctive natural areas, corridors and linkages and other ecological resources within the Urban Growth Boundary and incorporate the information into the Urban Growth Management Agreement with Clackamas County.
Policy 5.4.3
Identify, initiate and cooperate in partnerships with other jurisdictions, businesses, neighborhoods, schools and organizations to conserve and restore natural resources within and adjacent to Oregon City.

Finding: Complies as Proposed. Portions of the site are within the Natural Resources Overlay District (NROD), which serves to protect the water resources and adjacent habitat through regulation of development within the vicinity of streams and wetlands. The applicant has provided a preliminary NROD report and will be required to comply with overlay district standards for future DDP applications.

Policy 5.4.4
Consider natural resources and their contribution to quality of life as a key community value when planning, evaluating and assessing costs of City actions.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies. The City's adoption of the Park Place Concept Plan in 2008 was done with protection of natural resources in mind.

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.
Finding: Complies as Proposed. Portions of the site are within the Natural Resources Overlay District, which serves to protect water resources and adjacent habitat through regulation of development within the vicinity of streams and wetlands. The proposal demonstrates that riparian corridors are protected and conserved, although no verification of the NROD boundary is proposed at this time. The applicant has provided a preliminary NROD report and will be required to comply with overlay district standards for future DDP applications, including verification of the NROD boundary.

Policy 5.4.6
Support and promote public education, interpretation, and awareness of the city's ecological resources.
Finding: Complies as Proposed. Portions of the site are within the Natural Resources Overlay District, which serves to protect water resources and adjacent habitat through regulation of development within the vicinity of streams and wetlands. The proposal includes public trails through the natural areas, which will increase awareness of the city's natural resources by providing public access.

Policy 5.4.7
The City shall encourage preservation over mitigation when making decisions that affect wetlands and a "no net loss" approach to wetland protection.
Finding: Complies as Proposed. The applicant's NROD study identified a few wetlands outside of the mapped NROD boundary. These wetlands are in areas proposed with residential development and are not proposed to be protected. While the City does not have jurisdiction over these wetlands because they are not within the mapped NROD (the Department of State Lands has jurisdictions over the actual wetland), the City does require that Goal 5 criteria are met. The applicant indicates that wetlands are "planned for preservation where possible." Because the plan language is permissive - to "encourage" preservation rather than to mandate it, this plan can be found to be consistent with this policy.

Applicant's NROD Study Results

Policy 5.4.8
Conserve natural resources that have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation and fish, and wildlife habitat.

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.
Finding: Complies as Proposed. Portions of the site are within the Natural Resources Overlay District, which serve to protect the resources through regulation of development within the vicinity of streams and wetlands. The proposal demonstrates that riparian corridors are protected and conserved, although no verification of the NROD boundary is proposed at this time. The applicant has provided a preliminary NROD report and will be required to comply with overlay district standards for future DDP applications, including verification of the NROD boundary.

Policy 5.4.10
Encourage and promote the restoration of the hydrologic and ecological character and function of streams and wetlands that have been degraded by channeling or eliminated from the landscape by routing into culverts.
Finding: Not applicable. There is no evidence of streams or wetlands on site that have been channeled or eliminated from the landscape.

Policy 5.4.11

Maintain and enhance the function and quality of natural wetlands and create, where appropriate, wetlands or swales to moderate the quantity and velocity of water runoff entering streams during storm events and to reduce the amount of pollutants carried into streams.
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.
Finding: Complies as Proposed. The City has an adopted stormwater standards and design requirements for stormwater facilities in the code and engineering standards in a manual that fulfills these policies. the applicant will be required to show compliance with the stormwater standards and the manual at the time of future DDP review.

Policy 5.4.14
Comply with federal and state regulations for protecting, conserving and restoring threatened and endangered species and critical habitat.
Finding: Complies as Proposed. The applicant is subject to compliance with DSL and Army Corps of Engineers standards for wetland impacts. No known endangered species are present on site.

Policy 5.4.15
Partner with Metro, Clackamas County, the Oregon Department of Transportation (ODOT) and other agencies to establish an invasive weeds management strategy.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

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*

Finding: Complies as Proposed. Portions of the site are within the Natural Resources Overlay District, which serves to protect the resources through regulation of development within the vicinity of streams and wetlands. Surface water quality is planned for protection through vegetated corridors, vegetative shading, and prevention of erosion and pollution. Stormwater facilities will be designed for management, detention, and treatment of stormwater to remove sediment and other pollutants in accordance with the City's standards. The City has an adopted stormwater manual that fulfills these policies. the applicant will be required to show compliance with the stormwater standards and the manual at the time of future DDP review.

Policy 5.4.17
Protect and maintain groundwater recharge through conservation and enhancement of wetlands and open space.
Finding: Complies as Proposed. The applicant has proposed a significant amount of open space adjacent to streams on the site. The applicant's NROD study identified a few wetlands outside of the mapped NROD boundary. These wetlands are in areas proposed with residential development and are not proposed to be protected. While the City does not have jurisdiction over these wetlands (the Department of State Lands has jurisdictions over the actual wetland), the City does require that Goal 5 criteria are met. The applicant indicates that wetlands are planned for preservation where possible.

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: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

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 6.1.1
Promote land-use patterns that reduce the need for distance travel by single occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping and education.
Finding: Complies as Proposed. The Park Place Crossing Master Plan will create a portion of the conceived North Village of the Park Place Concept Plan Area, which includes a variety of housing types as well as supportive amenities such as commercial retail, civic spaces, parks, and open spaces.

Policy 6.1.2
Ensure that development practices comply with or exceed regional, state, and federal standards for air quality.
Finding: Complies as Proposed. Residential development proposed is typical of the region and no abnormal impacts to air quality are expected. The applicant will be required meet any applicable county, state, or federal requirements.

Policy 6.1.3
Set an example through City operations by using and demonstrating practices and technologies that reduce air pollution and protect air quality.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 6.1.4
Encourage the maintenance and improvement of the city's tree canopy to improve air quality.
Finding: Complies as Proposed. The applicant provided an existing conditions plan that identifies all trees over 6" diameter. These trees will be regulated through OCMC 17.41, which discourages tree removal through robust mitigation and replanting standards. The applicant's future DDP application will be required to show compliance with these standards.

Goal 6.2 Water Quality
Control erosion and sedimentation associated with construction and development activities to protect water quality.
Policy 6.2.1
Prevent erosion and restrict the discharge of sediments into surface- and groundwater by requiring erosion prevention measures and sediment control practices.
Finding: Complies as Proposed. The applicant provided an existing conditions plan that identifies all trees over 6" diameter. These trees will be regulated through OCMC 17.41, which discourages tree removal through robust mitigation and replanting standards. The applicant's future DDP application will be required to show compliance with these standards.

Policy 6.2.2
Where feasible, use open, naturally vegetated drainage ways to reduce stormwater and improve water quality.
Finding: Complies as Proposed. The applicant has proposed to use roadside planters for stormwater management on most of the streets in the development. The City has an adopted stormwater manual that

fulfills these policies. the applicant will be required to show compliance with the stormwater standards and the manual at the time of future DDP review.

Goal 6.3 Nightlighting
Protect the night skies above Oregon City and facilities that utilize the night sky, such as the Haggart Astronomical Observatory, while providing for nightlighting at appropriate levels to ensure safety for residents, businesses, and users of transportation facilities, to reduce light trespass onto neighboring properties, to conserve energy, and to reduce light pollution via use of night-friendly lighting.
Policy 6.3.1
Minimize light pollution and reduce glare from reaching the sky and trespassing onto adjacent properties.
Policy 6.3.2
Encourage new developments to provide even and energy-efficient lighting that ensures safety and discourages vandalism. Encourage existing developments to retrofit when feasible.
Finding: Complies as Proposed. Street lighting is coordinated between the City and PGE and is energy efficient. The City's site plan and design review standards for lighting on private property do not apply to residential uses, but do apply to mixed-use and multifamily development. The city has a nuisance code to provide protection to residential areas from lighting impacts.

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: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 6.4 Noise
Prevent excessive noise that may jeopardize the health, welfare, and safety of the citizens or degrade the quality of life.
Policy 6.4.1
Provide for noise abatement features such as sound-walls, soil berms, vegetation, and setbacks, to buffer neighborhoods from vehicular noise and industrial uses.
Policy 6.4.2
Encourage land-use patterns along high-traffic corridors that minimize noise impacts from motorized traffic through building location, design, size and scale.
Finding: Complies with Condition. Residential development proposed is typical of the region and no abnormal impacts to air quality are expected. The street alignment for Holly Lane is preliminary in nature and the reduced cross section and alignment will be further reviewed with the Phase 1 DDP, but on preliminary review it meets the intent of the code by allowing safe vehicular, bicycle, and pedestrian travel through the constrained area between the lots. Additional landscaping, sound mitigation and retaining wall design will be required to buffer the road section from certain adjacent lots in the Trailview Subdivision. The proposed cross section for the constrained area meets the City's travel lane dimensions, bike lane dimensions and cross walk dimensions for a collector as noted in OCMC 16.12.016 below. No high-traffic corridors are part of the development or adjacent to the development.

Goal 6.5 Mineral and Aggregate Operations
Protect the livability and environment of Oregon City by prohibiting commercial aggregate extraction operations within the city and Urban Growth Boundary.
Policy 6.5.1
Prohibit new commercial aggregate removal operations and encourage relocation of existing operations. Aggregate removal for habitat improvement or for public recreational needs is not considered a commercial operation.
Finding: Not applicable. This proposal does not involve mineral and aggregate operations.

Section 7: Natural Hazards

Goal 7.1 Natural Hazards
Protect life and reduce property loss from the destruction associated with natural hazards.
Policy 7.1.1
Limit loss of life and damage to property from natural hazards by regulating or prohibiting development in areas of known or potential hazards.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies. The City's development code regulates and limits development in hazardous areas.

Policy 7.1.2
Protect existing development from natural hazards through mitigation measures identified in the Oregon City Hazard Mitigation Plan.
Finding: Complies as Proposed. Parts of the site are within the City's Geologic Hazard overlay, including landslide areas and steep slope areas. The landslide area are not proposed to be developed. The proposal includes preliminary geological hazard memos describing the general feasibility of the proposed Master Plan to meet the City's Municipal Code and engineering standards for the Geological Hazard Overlay Area. At the time the detailed development plans are submitted for each phase, the applicant will provide a full, more detailed geotechnical memorandum with the required supplemental information noted above.

Policy 7.1.3
Reduce risk to residents and businesses by maintaining accurate information on the existence and potential of hazards.
Policy 7.1.4
Ensure that key public facilities (emergency service) are located outside recognized hazard areas.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 7.1.5
Minimize the risk of loss of life and damage to property from flooding by limiting development in the 100-year floodplain and by ensuring that accepted methods of flood proofing are used.
Policy 7.1.6
Encourage the use of land and design of structures that are relatively unaffected by the periodic effects of flooding, such as parking and other uses not normally occupied by humans.
Policy 7.1.7
Prohibit uses in areas subject to flooding that would exacerbate or contribute to hazards posed by flooding by introducing hazardous materials, filling or obstructing floodways, modifying drainage channels, and other detrimental actions.
Finding: Not applicable. The area is not in a flood overlay or floodplain.

Policy 7.1.8
Provide standards in City Codes for planning, reviewing, and approving development in areas of potential landslides that will prevent or minimize potential landslides while allowing appropriate development.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 7.1.9
Locate, design, and construct structures in conformance with current building codes and standards for seismic-resistant design.

Policy 7.1.10
Evaluate the need to retrofit existing public facilities such as water reservoirs, bridges, pipelines, and hospitals to better withstand earthquakes.

Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 7.1.11
Prioritize roadways needed for public service, medical, and emergency vehicles during emergencies.
Finding: Complies as Proposed. This is a City-directed policy that is implemented by the Transportation System Plan. The applicant's traffic study has demonstrated that preliminary road design and capacity is adequate for emergency access, as confirmed by the City transportation experts and the location and design of all roads within the development area will be further reviewed at the time of DDP review.

Policy 7.1.12
Ensure that key public services, such as water and sewer; and key public facilities such as police, fire, and hospital structures have the capability to back-up electricity during emergencies.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies. The City's development code (OCMC 17.44) regulates and limits development in hazardous areas and was recently updated in 2021.

Policy 7.1.13
Minimize the risk of loss of life and damage to property from wildfires within the city and the Urban Growth Boundary.
Finding: Complies as Proposed. This policy pertains to wildfires within the City limits or UGB. The applicant has proposed emergency access from two locations in coordination with emergency service providers. Future detailed development plans will require compliance with fire access standards from Clackamas County Fire District. A separate memorandum addressing concerns raised about wildfire evacuations is included as an attachment to this staff report.

Section 8: Parks and Recreation
Goal 8.1 Developing Oregon City's Park and Recreation System
Maintain and enhance the existing park and recreation system while planning for future expansion to meet residential growth.
Policy 8.1.1
Provide an active neighborhood park-type facility and community park-type facility within a reasonable distance from residences, as defined by the Oregon City Park and Recreation Master Plan, to residents of Oregon City.
Finding: Complies as Proposed. With the 8/11/2022 revision, the applicant has proposed to dedicate 4.3 acres of land within the project site for a public park. This land is in the southwest corner of the site and is slightly different from the location of the park envisioned in the Park Place Concept Plan. The location is a relatively flat area of the project site and is adjacent to the village center retail/civic parcels as well as the proposed attached housing areas. The location is generally consistent with the Concept Plan. The amount of acreage proposed to be dedicated is proportional to the number of housing units proposed, as discussed in the applicant's narrative. See findings in 17.65.050.C.3.

Policy 8.1.2
When property adjacent to an existing neighborhood or community park becomes available, consider adding property to the park and developing it to meet the current needs of existing neighborhoods.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 8.1.3
Develop regional and community parks in such a way that revenue-producing amenities are included to bring in a revenue stream to partially fund maintenance of the parks system.

Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 8.1.4
Create either an endowment fund or a steady revenue stream to offset adding maintenance responsibilities to an already overburdened system.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 8.1.5
Identify and construct a network of off-street trails throughout the city for walking and jogging.
Finding: Complies with Condition. The applicant has proposed a network of trails within open spaces of the site. The proposal is generally consistent with the City's trails master plan and with the Park Place Concept Plan. It includes a bridge over Tour Creek to connect to Oak Valley Drive. The applicant does not propose specific timing for this connection. In order to ensure connectivity is provided at a reasonable stage in the development, the Tour Creek pedestrian bridge connection shall be included in the detailed development plan application that includes the 319th dwelling unit in the development (the last unit of proposed Phase 2) and shall be constructed as part of public improvements for that phase. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Policy 8.1.6
Provide land for specialized facilities such as sports fields and indoor recreational facilities.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 8.1.7
Seek out opportunities to coordinate and partner with other departments, agencies, and jurisdictions to fulfill the aims of the Oregon City Park and Recreation Master Plan.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 8.1.8
Explore the possibility of developing a full-service community recreation center that has an aquatics facility and that focuses on providing programming and activities for the youth and families of Oregon City.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 8.1.9
Emphasize retaining natural conditions and the natural environment in proposed passive recreation areas.
Finding: Complies as Proposed. The applicant has proposed a network of trails through the protected open spaces on site. The ravines and stream areas are proposed to remain in natural condition. Public access easement for the entire trail system will be required at the time of detailed development plan review.

Policy 8.1.10
Identify revenue-producing opportunities for inclusion in existing and future parks to offset operational costs.
Finding: Not applicable. This goal pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 8.1.11

Explore opportunities for the school district and the City to share recreational facilities such as athletic fields and meeting space.

Finding: Not applicable. This policy pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 8.1.12

Identify and protect land for parks and recreation within the Urban Growth Boundary.

Finding: Complies as Proposed. The applicant has proposed to dedicate 4.3 acres of land within the project site for a public park. This land is in the southwest corner of the site and is slightly different from the location of the park envisioned in the Park Place Concept Plan. The location is a relatively flat area of the project site and is adjacent to the village center retail/civic parcels as well as the proposed attached housing areas. The location is generally consistent with the Concept Plan. The City's Parks Director Kendall Reid submitted a comment indicating that the proposed location and size of the park dedication is suitable and would be accepted by the City and developed as a park in the future. See additional findings in 17.65.050.C.3.

Policy 8.1.13

Explore the development of a riverfront promenade along the Willamette River from River View Plaza at 5th Street to Clackamette Park.

Policy 8.1.14

Require or encourage developers to dedicate park sites as part of the subdivision review process. When possible, require or encourage developers to build parks to City standards and give them to the City to operate and maintain.

Policy 8.1.15

Investigate the possibility of forming a regional parks and recreational district to replace City-provided services.

Policy 8.1.16

Investigate partnerships with existing and new heritage organizations for joint programming and/or management of historic buildings such as the Ermatinger House and the Buena Vista Club House.

Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

<u>Section 9: Economic Development</u>

Goal 9.1 Improve Oregon City's Economic Health

Provide a vital, diversified, innovative economy including an adequate supply of goods and services and employment opportunities to work toward an economically reasonable, ecologically sound and socially equitable economy.

Policy 9.1.1

Attract high-quality commercial and industrial development that provides stable, high-paying jobs in safe and healthy work environments, that contributes to a broad and sufficient tax base, and that does not compromise the quality of the environment.

Finding: Not applicable. This policy pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 9.1.2

Contribute to the health of the regional and state economy by supporting efforts to attract "traded sector industries" such as high technology and production of metals, machinery, and transportation equipment. (Traded sector industries compete in multi-state, national, and international markets and bolster the state's economy by bringing money in from sales of goods and services outside of the state.)

Finding: Not applicable. This policy pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 9.2 Cooperative Partnerships

Create and maintain cooperative partnerships with other public agencies and business groups interested in promoting economic development.
Policy 9.2.1
Seek input from local businesses when making decisions that will have a significant economic impact on them.
Policy 9.2.2
Carefully consider the economic impacts of proposed programs and regulations in the process of implementing the City's Comprehensive Plan.
Policy 9.2.3
Simplify, streamline, and continuously improve the permitting and development review process.
Policy 9.2.4
Use financial tools available to the City, including its Urban Renewal Program and Capital Improvement Program, to support its economic development efforts.
Finding: Not applicable. This policy pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 9.2.5
Use public-private partnerships as a means to leverage private investment when appropriate.
Finding: Not applicable. This policy pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 9.3 Retention of Existing Employers
Retain existing employers, both public and private, and encourage them to expand their operations within the City.
Policy 9.3.1
Protect existing industries from encroachment by incompatible land uses, and ensure that expansion options are available to them wherever possible.
Finding: Not applicable. No existing industries are present in or near the area.

Policy 9.3.2
Support programs of Clackamas County, the Oregon Department of Economic and Community Development, the Small Business Administration and other agencies that provide business-related services such as low-interest loans, job training, and business counseling.
Policy 9.3.3
Encourage the retention and expansion of Clackamas County as a major employer inside the city.
Policy 9.3.4
Work cooperatively with Clackamas Community College, Clackamas County (for Red Soils Facility), and Willamette Falls Hospital to help facilitate their expansion, and encourage master planning for future expansions.
Finding: Not applicable. This policy pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 9.4 Education, Skills And Workforce Training
Ensure that the major employers in Oregon City are able to find qualified and skilled workers to meet their needs.
Policy 9.4.1
Encourage Clackamas Community College and the Oregon City High School to continue providing job training. Support partnerships between Clackamas Community College and potential employees such as Willamette Falls Hospital and other private businesses and new employers on the City's industrial lands, especially near the college.
Policy 9.4.2
Promote the development of ongoing partnerships between Clackamas Community College, the Oregon City School District, the Workforce Investment Council of Clackamas County, local and regional businesses, the Oregon Employment Department, and other agencies to train new workers.
Finding: Not applicable. This policy pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 9.5 Retail Service
Allow a variety of retail outlets and shopping areas to meet the needs of the community and nearby rural areas.
Finding: Complies as Proposed. The proposed commercial/civic parcels in the project will allow a variety of retail uses allowed within the NC zone.

Policy 9.5.1
Develop local neighborhood or specific plans, when appropriate, to blend infill development along linear commercial areas into existing neighborhoods.
Finding: Not applicable. This policy pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 9.5.2
Develop plans to provide necessary public services to surrounding rural industrial lands for future development.
Finding: Not applicable. This policy pertains to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 9.6 Tourism
Promote Oregon City as a destination for tourism.
Policy 9.6.1
Protect historic, recreational, and natural resources as the basis for tourism, such as the Historic Downtown Area.
Policy 9.6.2
Ensure land uses and transportation connections that support tourism as an important aspect of the City's economic development strategy. This could include connections to the End of the Oregon Trail Interpretive Center and the train depot.
Policy 9.6.3
Provide land uses in the Downtown Historic Area, 7th Street corridor, and the End of the Oregon Trail Interpretive Center that support tourism and visitor services.
Policy 9.6.4
Encourage and support citywide events that would attract visitors and tie to the historic attractions of the city. Preserve tourism-related transportation services like the Oregon City Elevator and trolley.
Policy 9.6.5
Encourage river-related tourism facilities and services, such as docking facilities, river transit and river tours.
Policy 9.6.6
Encourage private development of hotel, bed and breakfast, restaurant facilities and other visitor services.
Finding: Not applicable. This policy pertains to actions that are to be taken by the City or are outside of the project area. The applicant is not required to demonstrate compliance with these policies.

Goal 9.7 Home-Based Businesses
Provide a supportive climate for home-based businesses.
Policy 9.7.1
Encourage home-based businesses that are low impact and do not disrupt the residential character of the neighborhoods in which they are located.
Policy 9.7.2
Encourage the support services that home-based businesses need.
Finding: Not applicable. This policy pertains to actions that are to be taken by the City. Home occupations are permitted within the R-5 and R-10 zones. The applicant is not required to demonstrate compliance with these policies.

Goal 9.8 Transportation System
Recognize the importance of the land use-transportation link and encourage businesses to locate in areas already served by the type of transportation system they need.

Policy 9.8.1
Through coordination with TriMet and local employers, encourage and promote the use of mass transit to travel between residential areas and employment areas.
Policy 9.8.2
Participate in regional efforts to encourage employers to promote telecommuting and other flexible work arrangements.
Policy 9.8.3
Assess the feasibility of implementing Transportation Management Associations in the city.
Policy 9.8.4
Promote "shared parking" and transportation demand management techniques such as transit vouchers, car or van pooling, and flexible schedules and telecommuting options to reduce peak hour trips.
Policy 9.8.5
Work with the Oregon Department of Transportation to preserve and improve the capacity of Highway 213 and its intersection with I-205.
Policy 9.8.6
Encourage the provision of multi-modal transportation to support major existing employers.
Policy 9.8.7
Assess methods to integrate the pedestrian, bicycle and elevator transportation modes into the mass transit system.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Section 10: Housing

Goal 10.1 Diverse Housing Opportunities
Provide for the planning, development and preservation of a variety of housing types and lot sizes.

Policy 10.1.1
Maintain the existing residential housing stock in established older neighborhoods by maintaining existing Comprehensive Plan and zoning designations where appropriate.
Policy 10.1.2
Ensure active enforcement of the City of Oregon City Municipal Code regulations to ensure maintenance of housing stock in good condition and to protect neighborhood character and livability.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

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: Complies as Proposed. The proposed development in the R-5 and R-10 zones includes a variety of housing types including detached and attached units. The NC zone similarly allows for a variety of residential uses and mixed-use residential as well as commercial development.

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 proposed development in the R-5 and R-10 zones includes a variety of housing types including detached and attached units.

Policy 10.1.5

Allow Accessory Dwelling Units under specified conditions in single-family residential designations with the purpose of adding affordable units to the housing inventory and providing flexibility for homeowners to supplement income and obtain companionship and security.
Policy 10.1.6
Allow site-built manufactured housing on individual lots in single-family residential zones to meet the requirements of state and federal law. (Pursuant to state law, this policy does not apply to land within designated historic districts or residential land immediately adjacent to a historic landmark.)
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 10.1.7
Use a combination of incentives and development standards to promote and encourage well-designed single-family subdivisions and multi-family developments that result in neighborhood livability and stability.
Finding: Complies as Proposed. The proposed development will be subject to design standards in OCMC 17.21 that applies specific design standards for the Park Place Concept Plan. The applicant has requested an adjustment to one of these standards requiring garages to be either accessed from the rear, detached or side-oriented. With the proposed 8/11/2022 revision, the Mixed Use/Civic/Village Green area has been revised to three parcels of 0.51 acres, 0.56 acres and 1.26 acres (total 2.43 acres). This revised layout for the central North Village area includes additional mixed-use commercial land along Livesay Road that will allow denser mixed use and multi-family development, subject to design review standards prior to construction.

Goal 10.2 Supply of Affordable Housing
Provide and maintain an adequate supply of affordable housing.
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.
Policy 10.2.2
Allow increases in residential density (density bonuses) for housing development that would be affordable to Oregon City residents earning less than 50 percent of the median income for Oregon City.
Policy 10.2.3
Support the provision of Metro's Title 7 Voluntary Affordable Housing Production Goals.
Policy 10.2.4
Provide incentives that encourage the location of affordable housing developments near public transportation routes. Incentives could include reduction of development-related fees and/or increases in residential density (density bonuses).
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Section 11: Public Facilities

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

Policy 11.1.1
Ensure adequate public funding for the following public facilities and services, if feasible:
- *Transportation infrastructure*
- *Wastewater collection*
- *Stormwater management*
- *Police protection*
- *Fire protection*

- *Parks and recreation*
- *Water distribution*
- *Planning, zoning and subdivision regulation*
- *Library services*
- *Aquatic Center*
- *Carnegie Center*
- *Pioneer Community Center*
- *City Hall*
- *Buena Vista House*
- *Ermatinger House*

Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 11.1.2
Provide public facilities and services consistent with the goals, policies and implementing measures of the Comprehensive Plan, if feasible.
Finding: Complies with Conditions. The applicant states:

> "Utility services are available within S Holcomb Boulevard for Phase 1, via a connection to existing sewer services at the corner of Journey Drive and Trail View Drive. Phases 2 through 6 will extend and expand public services as needed to support the project and future adjacent developments. Information provided as part of this application is preliminary in nature and will be further refined as part of future Detailed Development Plan applications, where changes or improvements may occur."

Public facilities are discussed in section 17.65.050.C.3 of this staff report.

Policy 11.1.3
Confine urban public facilities and services to the city limits except where allowed for safety and health reasons in accordance with state land-use planning goals and regulations. Facilities that serve the public will be centrally located and accessible, preferably by multiple modes of transportation.
Finding: Complies as Proposed. The proposal includes extensions of water and sewer services slightly outside the City limits in order to connect with existing lines outside the city limits. The purpose of doing so is to provide looped systems, which is preferred for safety and health reasons.

Policy 11.1.4
Support development on underdeveloped or vacant buildable land within the city where public facilities and services are available or can be provided and where land-use compatibility can be found relative to the environment, zoning, and Comprehensive Plan goals.
Finding: Complies as Proposed. The proposed development is within the Park Place Concept Plan area; the Concept Plan identified this land as suitable for development where services can be made available.

Policy 11.1.5
Design the extension or improvement of any major public facility and service to an area to complement other public facilities and services at uniform levels.
Finding: Complies as Proposed. The proposal will be conditioned to follow the Transportation, Water, Sewer and Stormwater Master Plans adopted by the City.

Policy 11.1.6

Enhance efficient use of existing public facilities and services by encouraging development at maximum levels permitted in the Comprehensive Plan, implementing minimum residential densities, and adopting an Accessory Dwelling Unit Ordinance to infill vacant land.

Finding: Complies as Proposed. The proposed development is within the Park Place Concept Plan area; the Concept Plan requires a minimum of 937 units within the North Village area. The applicant is required to meet the density approved in the Park Place Concept Plan and has proposed adjustments to standards, an NROD density transfer, and a variance for attached single family lot size in order to do so. While the zoning designations are not the maximum density within each Comprehensive Plan designation, the proposal from the applicant can meet the required densities in the Concept Plan.

Proposed minimum lot area and density are discussed in Chapter 17.08 and 17.10 of this report and in the discussion of density on Page 26.

Policy 11.1.7
Develop and maintain a coordinated Capital Improvements Plan that provides a framework, schedule, prioritization, and cost estimate for the provision of public facilities and services within the City of Oregon City and its Urban Growth Boundary.

Goal 11.2 Wastewater
Seek the most efficient and economic means available for constructing, operating, and maintaining the City's wastewater collection system while protecting the environment and meeting state and federal standards for sanitary sewer systems.
Policy 11.2.2
Plan, operate and maintain the wastewater collection system for all current and anticipated city residents within the existing Urban Growth Boundary. Plan strategically for future expansion areas.
Policy 11.2.2
Given the vision for Clackamette Cove, investigate strategies to deal with increased flows, including alternate locations for treatment, from growth in the Damascus area and the potential closure of the Kellogg Creek Water Pollution Control Plant.
Policy 11.2.3
Work with the Tri-City Service District to provide enough collection capacity to meet standards established by the Oregon Department of Environmental Quality (DEQ) to avoid discharging inadequately treated sewage into surfacewater.
Policy 11.2.4
Seek economical means to reduce inflow and infiltration of surface- and groundwater into the wastewater collection system. As appropriate, plant riparian vegetation to slow stormwater, and to reduce erosion and stream sedimentation.
Policy 11.2.5
Implement the City's wastewater policies through the City of Oregon City Sanitary Sewer Master Plan.

Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.3 Water Distribution
Seek the most efficient and economic means available for constructing, operating, and maintaining the City's water distribution system while protecting the environment and meeting state and federal standards for potable water systems.
Policy 11.3.1
Plan, operate and maintain the water distribution system for all current and anticipated city residents within its existing Urban Growth Boundary and plan strategically for future expansion areas.
Policy 11.3.2
Collaborate with the South Fork Water Board to ensure that an adequate water supply system is maintained for residents. Coordinate with the South Fork Water Board, the City of West Linn, and Clackamas River Water to ensure that there is adequate regional storage capacity.
Policy 11.3.3
Maintain adequate reservoir capacity to provide all equalization, operational, emergency, and fire flow storage required for the City's distribution system.
Policy 11.3.4

Adopt a progressive water rate structure that will encourage water conservation.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.4 Stormwater Management
Seek the most efficient and economical means available for constructing, operating, and maintaining the City's stormwater management system while protecting the environment and meeting regional, state, and federal standards for protection and restoration of water resources and fish and wildlife habitat.
Policy 11.4.1
Plan, operate, and maintain the stormwater management system for all current and anticipated city residents within Oregon City's existing Urban Growth Boundary and plan strategically for future expansion areas.
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: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 11.4.3
Ensure parking lot designs that mitigate stormwater impacts. Take measures to reduce waterflow and increase water absorption through the use of bioswales, vegetated landscaped islands with curb cuts to allow water inflow, and tree planting.
Finding: Not applicable. The applicant has not proposed parking lots. Parking lots may be included with the park and/or commercial parcels, and standards in OCMC 17.52 that require landscaping and drainage in parking lots will apply.

Policy 11.4.4
Maintain existing drainageways in a natural state for maximum water quality, water resource preservation, and aesthetic benefits.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 11.4.5
Design stormwater facilities to discharge surfacewater at pre-development rates and enhance stormwater quality in accordance with criteria in City of Oregon City Public Works Stormwater and Grading Design Standards.
Finding: Complies as Proposed. Stormwater facilities will be designed for management, detention, and treatment of stormwater to remove sediment and other pollutants in accordance with the City's standards. The City has an adopted stormwater manual that fulfills these policies. the applicant will be required to show compliance with the stormwater standards and the manual at the time of future DDP review.

Policy 11.4.6
Regularly review and update the above standards to reflect evolving stormwater management techniques, maintenance practices, and environmental compatibility.
Policy 11.4.7
Provide stormwater management services and monitor, report and evaluate success of the services consistent with the NPDES MS-4 permit requirements.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.5 Solid Waste
Seek to ensure that the most cost-effective, integrated solid waste plan is developed and implemented.
Policy 11.5.1

Acknowledge Metro's responsibility for preparing and implementing the Regional Solid Waste Management Plan, 1995-2005 because solid waste disposal is a regional concern requiring regional solutions.
Policy 11.5.2
Coordinate with Metro and Clackamas County as needed to help implement the goals and objectives of the Regional Solid Waste Management Plan, 1995-2005.
Policy 11.5.3
Commit to long-term sustainability and recognize the link between reduction of solid waste, reuse and recycling of materials, and protection of natural resources.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.6 Transportation Infrastructure
Optimize the City's investment in transportation infrastructure.
Policy 11.6.1
Make investments to accommodate multi-modal traffic as much as possible to include bike lanes, bus turnouts and shelters, sidewalks, etc., especially on major and minor arterial roads, and in regional and employment centers.
Finding: Complies with condition. The applicant has proposed streets with bike lanes. There is no transit service planned for the area; however, when Holly Lane is fully connected it could become an attractive route for Trimet or local shuttle service if ridership levels are deemed adequate. In future detailed development plan applications, the applicant shall include adequate space within the public right of way for a transit stop along Holly Lane near the park and commercial parcels in a location to be determined through additional planning and coordination with transit agencies. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Policy 11.6.2
Advocate for local, state, and regional cooperation in achieving an integrated connected system such as for the Amtrak station, light rail, and bus transit.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.7 Private Utility Operations
Coordinate with utilities that provide electric, gas, telephone and television cable systems, and high-speed internet connection to Oregon City residents to ensure adequate service levels.
Policy 11.7.1
Require local service lines in new subdivisions be placed underground.
Policy 11.7.2
Coordinate with private utility providers to install infrastructure during street construction and maintenance to reduce the need to repeatedly cut into newly paved streets.
Policy 11.7.3
Adopt lighting practices in streets and other public facilities, and encourage them in private development, that reduce glare, light pollution, light trespass, and energy use, while maintaining even lighting ensuring good visibility and safety for the public.
Policy 11.7.4
Encourage development of broadband networks in street rights-of-way in a coordinated way to provide state-of-the-art technology to residents.
Policy 11.7.5
Maintain and enforce the cell tower ordinance. Adopt, support and encourage innovations in reducing, camouflaging or screening cell towers.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.8 Health and Education
Work with healthcare and education providers to optimize the siting and use of provider facilities.
Policy 11.8.1
Work with Clackamas County as needed to ensure that county services are sited appropriately and that citizens of Oregon City continue to have access to County health and human services.
Policy 11.8.2
Coordinate with the master planning efforts by Willamette Falls Hospital to address environmental, neighborhood and health provider concerns about expansion plans, parking, traffic, and circulation.
Policy 11.8.3
Coordinate with the Oregon City School District to ensure that elementary and middle school sites are located centrally within the neighborhoods they serve, to the extent possible.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.9 Fire Protection
Maintain a high level of fire protection and emergency medical services.
Policy 11.9.1
Ensure that all areas, including newly annexed areas, receive fire protection and emergency medical services.
Policy 11.9.2
Attempt to maintain the City's Class IV fire insurance rating and work towards achieving a Class III rating, as funds are available.
Policy 11.9.3
Promote public awareness of fire prevention techniques, emergency management, and emergency preparedness education programs as important components of community safety.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.10 Police Protection
Preserve the peace and provide for the safety and welfare of the community.
Policy 11.10.1
Maintain continuous liaison with other elements of the criminal justice system.
Policy 11.10.2
Strive to provide rapid response to emergency and non-emergency calls.
Policy 11.10.3
Promote traffic safety to reduce property loss, injuries and fatalities.
Policy 11.10.4
Continually evaluate operations to maximize effectiveness and efficiency.
Policy 11.10.5
Seek to have a department and community committed to the philosophy of community-oriented policing. Develop community partnerships so that both the community and department are empowered to solve problems and seek creative solutions.
Policy 11.10.6
In addition to law enforcement, help deter crime through proactive programs that emphasize education, prevention, and cooperation.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.11 Civic Facilities
Strategically locate civic facilities to provide efficient, cost-effective, accessible, and customer friendly service to Oregon City residents.
Policy 11.11.1

Locate City facilities in a way that ensures customer service and provides easy access to the majority of residents. Access should be provided for the physically impaired and for those traveling by transit, bicycle, or foot.
Policy 11.11.2
Investigate options for obtaining or building a new City Hall.
Policy 11.11.3
Implement measures to maximize and leverage resources and increase services to the public.
Policy 11.11.4
Incorporate measures to meet long-term rising demand for services. Provide for future needs of increased staff, space and storage when purchasing or building new city facilities.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 11.12 Library
Ensure that the library has an adequate facility and resources to maintain its vital role in the community and accommodate growth of services, programs and the population of the entire service area.
Policy 11.12.1
Identify and acquire, if possible, an appropriate site for a permanent library that is centrally located to the service area. This could include a mixed-use facility with retail space and Friends of the Library activities, etc.
Policy 11.12.2
Explore partnerships with schools and other community groups in regard to shared programming, public meeting rooms and other community-use spaces.
Policy 11.12.3
Develop, if possible, a means of funding a permanent library facility.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Section 12: Transportation

Goal 12.1 Land Use-Transportation Connection
Ensure that the mutually supportive nature of land use and transportation is recognized in planning for the future of Oregon City.
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. The proposal includes bike lanes, sidewalks, and trails required in the Oregon City Municipal code.

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.
Policy 12.1.3
Support mixed uses with higher residential densities in transportation corridors and include a consideration of financial and regulatory incentives to upgrade existing buildings and transportation systems.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

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 with Conditions. The proposal includes a park, other open spaces, and future commercial uses within walking distance from hundreds of new residential units. It proposes connections to existing

subdivisions to allow existing residents walking routes to these new neighborhood amenities. Walkable neighborhoods contain adequate sidewalk widths, street trees, reasonable block lengths, slow traffic, and minimization of vehicle conflicts. Sidewalks and street trees have been proposed throughout the development, as well as trails within the open space areas. At the time of Detailed Development Plan review, wherever feasible, the applicant shall utilize traffic calming measures, low speed limits, and tight curb radii to promote slow vehicle speeds. Marked crosswalks with curb extensions shall be provided at all Holly Lane intersections. See block length discussion within policy 12.3.1. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Policy 12.1.5
Investigate the possibility of a new street connection between South End Road and Highway 99E between Downtown and New Era.
Policy 12.1.6
Investigate the possibility of a new east-west connection from Highway 213 to Willamette Falls Hospital.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

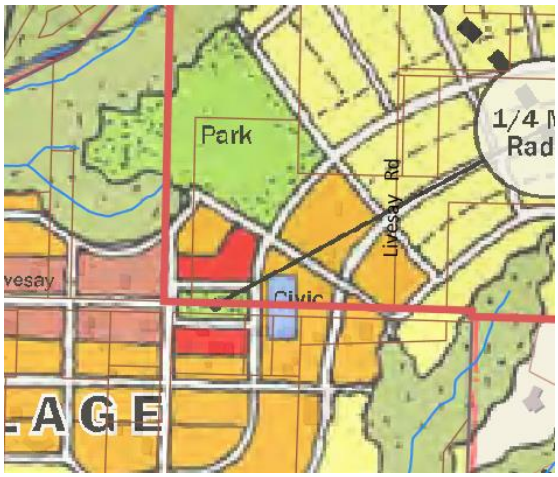
Goal 12.2 Local and Regional Transit
Promote regional mass transit (South Corridor bus, Bus Rapid Transit, and light rail) that will serve Oregon City.
Policy 12.2.1
Explore local and regional transit opportunities that will increase non-single occupancy vehicle travel to prolong infrastructure capacity.
Policy 12.2.2
Target local transit where it is expected to be particularly effective, such as frequent, reliable links between Hilltop, Downtown, Willamette Falls Hospital, the Beavercreek educational and employment centers, and the adjacent neighborhoods.
Policy 12.2.3
Work with TriMet to locate park-and-ride facilities at convenient neighborhood nodes to facilitate access to regional transit.
Policy 12.2.4
Consider establishing a local Transportation Management Association (TMA) to serve area businesses. The TMA would fund a local trolley or bus transit service along the major and minor arterials to reduce the need for widening rightsof-way for additional lanes as well as provide convenient and economical
mobility to everyone.
Policy 12.2.5
Advocate for a new regional bus rapid transit and rail transit connections to Oregon City.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 12.3 Multi-Modal Travel Options
Develop and maintain a transportation system that provides and encourages a variety of multi-modal travel options to meet the mobility needs of all Oregon City residents.
Finding: Complies with condition. The applicant has proposed streets with bike lanes and sidewalks, which will be refined and reviewed at the time of DDP. There is currently no transit service planned for the area; however, when Holly Lane is fully connected it could become an attractive route for Trimet or local shuttle service. See findings and conditions in Policy 12.3.5.

Policy 12.3.1
Provide an interconnected and accessible street system that minimizes vehicle miles-traveled and inappropriate neighborhood cut-through traffic.
Finding: Complies with condition. The City's block length standards promote this policy by requiring street connections every 530 feet. However, there are areas within the proposal where blocks exceed this distance.

Future detailed development plan applications shall meet the maximum block spacing of 530 feet throughout the development, except where topographic constraints prevent practicability.

In addition, the Park Place Concept Plan includes local street connections on both sides of Holly Lane. The street network envisioned in the Concept plan provides for an interconnected system. The applicant's original proposal only continued Holly Lane to stub into the properties to the south of the site, but did not include local street connections to the east or west of Holly Lane. A pedestrian trail through the park was proposed on the west side of the park, and another on the east side of the proposed stormwater facility.



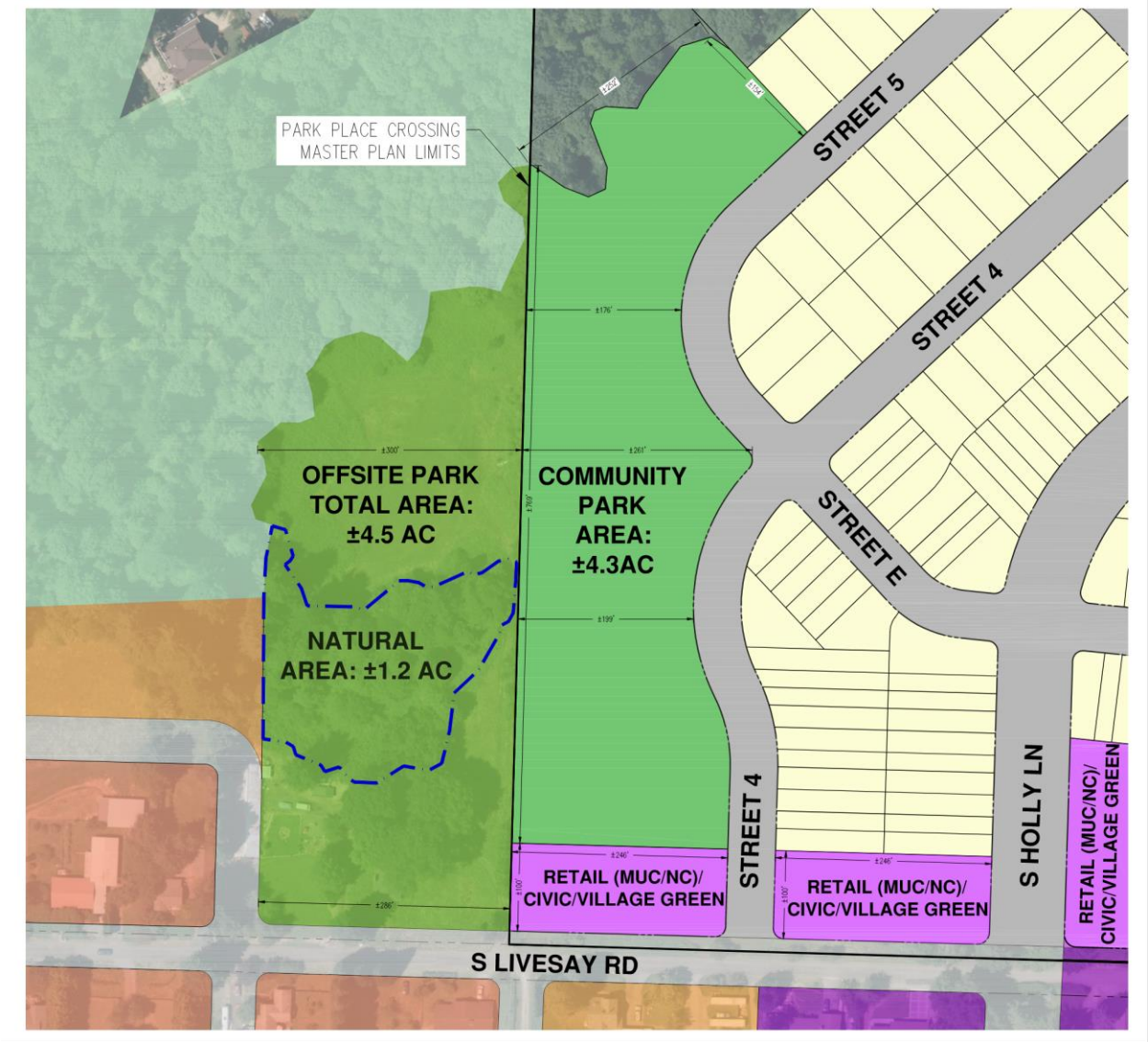
Concept Plan (left) which has local streets running in a north-south direction to the east and west of Holly Lane, and applicant's plan (right) which does not include such local street connections.

At the July 11, 2022, the applicant presented a revised proposal to address concerns expressed in prior hearings by members of the public, staff, and the Planning Commission. The applicant submitted a revised proposal that addresses four areas:

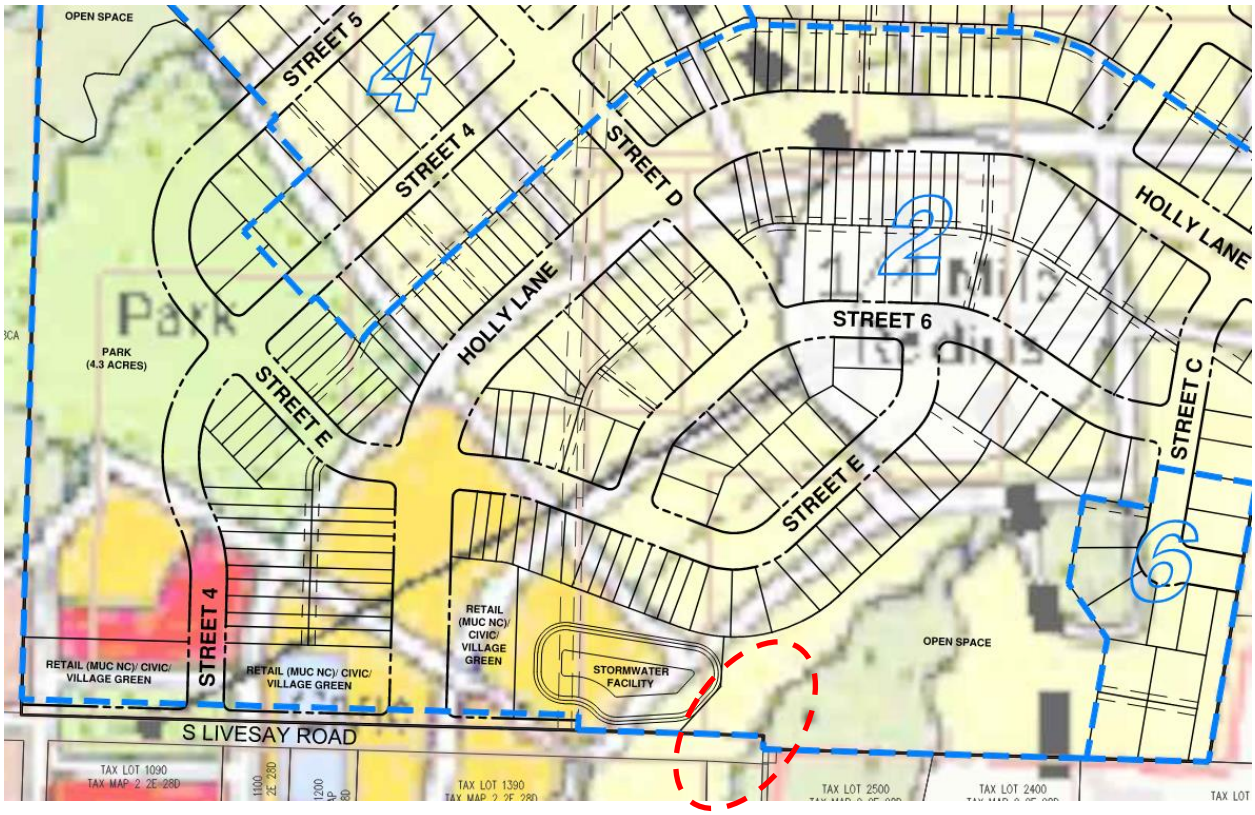
1. An extension of Holly Lane to Holcomb Blvd
2. Reconfiguration of the proposed portion of the Community Park located at the southwest corner of the Master Plan area.
3. A second street connection to provide additional connectivity to Livesay Rd.
4. A plan that would prevent 2,000 average daily trips (ADT) on Winston Drive, Cattle Drive, Shartner Drive, and Street A.

With the proposed 8/11/2022 revision, the street layout has been modified as shown below to provide even greater conenctivity. See also "Summary of Revisions submitted 8/11/2022" on pages 15 and "Project Description" on page 19.

S OAKTREE
OPEN SPACE/
NATURAL AREA
STREET 5
STREET 4
STREET D
HOLLY LANE
STREET
COMMUNITY
PARK
(4.3± ACRES)
STREET E
STREET E
STREET 4
RETAIL (MUC/NC)/
CIVIC/ VILLAGE
GREEN
RETAIL (MUC/NC)/
CIVIC/ VILLAGE
GREEN
RETAIL
(MUC/NC)/ CIVIC/
VILLAGE GREEN
STORMWATER
FACILITY
S LIVESAY ROAD



The revised proposal adequately addresses the block length standard west of Holly Lane. On the east side of Holly Lane, however, a street or pedestrian accessway could be provided to allow for more multimodal connectivity to the properties south of the subject site.



The applicant has proposed a revised street layout with additional street connections west of Holly Lane which significantly improves the connectivity to the revised park location, the mixed use, civic and village green locations.

The applicant has indicated that the required location of the stormwater facility to the east of Holly Lane, and constraints due to slopes and protected natural resources, precludes additional street stubs. ~~However, it may be feasible to accommodate a narrower street section, additional trail connection or~~Where block lengths exceed 530 feet the code requires pedestrians accessway no further than 330 feet from the nearest street intersection. This requirement will be further reviewed at the time of DDP review. ~~in the area indicated by the dashed red circle above at the time of DDP application.~~

~~These properties are also included in the Park Place Concept Plan and because it is the flattest part of the entire Concept plan area, the greatest amount of density is proposed just south of the subject site. With greater density, multiple local street connections to minimize vehicle miles traveled and provide multiple routes for local traffic are needed. Cut through traffic will use Holly Lane due to its width and eventual direct connection to Holcomb Blvd and Redland Rd. Future detailed development plan applications shall provide for an additional local street connection to the east of Holly Lane and South of Street E~~.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

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. The proposal provides several projects identified within the TSP and Trails Master Plan that will improve multimodal travel options within the City. The Tour Creek bridge crossing will allow greater pedestrian and bicycle connectivity and reduce out-of direction travel.

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 applicant has proposed streets with bike lanes that will eventually connect tot eh larger city network.

Policy 12.3.4
Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails.
Finding: Complies as Proposed. The proposal provides several projects identified within the TSP and Trails Master Plan that will improve multimodal travel options within the City. The Tour Creek bridge crossing will allow greater pedestrian and bicycle connectivity and reduce out-of direction travel.

Policy 12.3.5
Promote and encourage a public transit system that ensures efficient accessibility, mobility, and interconnectivity between travel modes for all residents of Oregon City.
Finding: Complies with condition. There is no transit service planned for the area; however, when Holly Lane is fully connected it could become an attractive route for Trimet or local shuttle service. In future detailed development plan applications, the applicant shall include adequate space within the public right of way for a transit stop along Holly Lane near the park and commercial parcels in a location to be determined through additional planning and coordination with transit agencies.
Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

Policy 12.3.6
Establish a truck route network that ensures efficient access and mobility to commercial and industrial areas while minimizing adverse residential impacts.
Finding: Not applicable. A truck route is not necessary for the uses proposed in or uses surrounding this development.

Policy 12.3.7
Promote the connection and expansion of rail and river transportation services to and through Oregon City.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 12.3.8
Ensure that the multi-modal transportation system preserves, protects, and supports the environmental integrity of the Oregon City community.
Policy 12.3.9
Ensure that the city's transportation system is coordinated with regional transportation facility plans and policies of partnering and affected agencies.
Policy 12.3.10
Develop, if possible, dock facilities along the Willamette River to support a range of public and private boat and water transportation opportunities.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 12.4 Light Rail

Promote light rail that serves Oregon City and locate park-and-ride facilities at convenient neighborhood nodes to facilitate access to regional transit.
Policy 12.4.1
Support light rail development to Oregon City.
Policy 12.4.2
Explore local service transit opportunities to promote non-single-occupancy vehicle travel and prolong infrastructure capacity.
Policy 12.4.3
Ensure efficient use of local transit by providing frequent, reliable links between the land uses and community associated with the Hilltop, Downtown, the Hospital, the Beavercreek educational and employment centers, and the adjacent neighborhoods.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

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.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 12.5.2
Identify and implement ways to minimize conflict points between different modes of travel.
Finding: Complies with condition. Traffic studies for future phases will address sight distance as well as conflict points as required in the City's Guidelines for Traffic Impact Analyses. See discussion of walkability in Policy 12.1.4. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Policy 12.5.3
Improve the safety of vehicular, rail, bicycle, and pedestrian crossings.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 12.6 Capacity
Develop and maintain a transportation system that has enough capacity to meet users' needs.
Policy 12.6.1
Provide a transportation system that serves existing and projected travel demand.
Policy 12.6.2
Identify transportation system improvements that mitigate existing and projected areas of congestion.
Policy 12.6.3
Ensure the adequacy of travel mode options and travel routes (parallel systems) in areas of congestion.
Policy 12.6.4
Identify and prioritize improved connectivity throughout the city street system.
Finding: Complies with conditions. The applicant has proposed to provide additional traffic studies at the time of Detailed Development Plan application for each Phase. The traffic study submitted for this General Development Plan Review identifies where the transportation system is expected to have adequate capacity and where improvements will be needed to provide adequate capacity for the new development. The study identified that the intersection of HWY 213 and Redland Rd, an intersection providing connectivity for this development, is a key intersection that will exceed capacity at some point between proposed Phase 1 and Phase 2. This means that the applicant will likely not be able to demonstrate compliance with transportation mobility standards for Phase 2, as proposed, and beyond. See capacity-related findings and conditions in 17.65.050.C.3

and 17.65.050.C.5 of this staff report. For local street connectivity analysis see also Policy 12.3.1. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Goal 12.7 Sustainable Approach
Promote a transportation system that supports sustainable practices.
Policy 12.7.1
Support "green street" construction practices.
Policy 12.7.2
Encourage the use of materials geared for long life cycles in both public and private transportation facilities.
Policy 12.7.3
Encourage the use of reused and recycled materials.
Policy 12.7.4
Promote multi-modal transportation links and facilities as a means of limiting traffic congestion.
Policy 12.7.5
Treat roadway pollution along transportation routes through the most effective means.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 12.8 Implementation/Funding
Identify and implement needed transportation system improvements using available funding.
Policy 12.8.1
Maximize the efficiency of the Oregon City transportation system, thus minimizing the required financial investment in transportation improvements, without adversely impacting neighboring jurisdictions and facilities.
Policy 12.8.2
Provide transportation system improvements that facilitate the timely implementation of the Oregon City Downtown Community Plan and protect regional and local access to the End of the Oregon Trail Interpretive Center.
Policy 12.8.3
Provide incentives for private sector contributions to multi-modal transportation links and facilities, for example, establishing new standards in the zoning code.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Section 13: Energy Conservation
Goal 13.1 Energy Sources
Conserve energy in all forms through efficient land-use patterns, public transportation, building siting and construction standards, and city programs, facilities, and activities.
Policy 13.1.1
Maintain the historic use of Willamette Falls as an energy source for industrial and commercial development.
Policy 13.1.2
Encourage siting and construction of new development to take advantage of solar energy, minimize energy usage, and maximize opportunities for public transit.
Policy 13.1.3
Enable development to use alternative energy sources such as solar through appropriate design standards and incentives.
Policy 13.1.4
Wherever possible, design and develop public facilities to take advantage of solar energy, develop co-generation, and conserve energy in operations and public access.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 13.2 Energy Conservation
Plan public and private development to conserve energy.

Policy 13.2.1
Promote mixed-use development, increased densities near activity centers, and home-based occupations (where appropriate).
Policy 13.2.2
Create commercial nodes in neighborhoods that are underserved to reduce vehicle miles traveled.
Policy 13.2.3
Plan for complementary mixed uses when considering annexation of new, under- or undeveloped areas so that new urban residential areas have closer access to jobs and services.
Finding: Complies with condition. The applicant's proposal includes space for commercial/civic uses planned in the North Village center in the Park Place Concept Plan. The proposal also concentrates the denser, attached units near the commercial parcels, consistent with this policy. Park Place neighborhood is underserved by retail services. See findings and conditions in Policy 2.5.2. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Policy 13.2.4
Encourage use of carpools and transit in cooperation with TriMet and other state and regional transportation agencies.
Policy 13.2.5
Construct bikeways and sidewalks, and require connectivity of these facilities to reduce the use of petroleum-fueled transportation.
Policy 13.2.6
Support the concept of sustainability over the long term by:
• encouraging education efforts such as developing and/or distributing educational materials to the public about energy efficiency and sustainability
• encouraging designs that achieve a minimum Leadership in Energy and Environmental Design (LEED) certification
• implementing sustainable concepts within the Oregon City government facilities that receive a minimum "Platinum" LEED rating
• implementing design guidelines that address sustainability for private sector development
• taking advantage of up-to-date technology to reduce energy use
• developing incentive programs to apply to private sector development, where feasible
Finding: Complies with conditions. With respect to Policy 13.2.4, there is currently no transit service planned for the area; however, when Holly Lane is fully connected it could become an attractive route for Trimet or local shuttle service. In future detailed development plan applications, the applicant shall include adequate space within the public right of way for a transit stop along Holly Lane near the park and commercial parcels in a location to be determined through additional planning and coordination with transit agencies.

Policy 13.2.5 will be met through compliance with the street standards in OCMC 16.12 and through the Detailed Development Plan review process when site specific development is proposed.

Policy 13.2.6 will be met through the implementation of current building codes for residential structures and through the site plan and design review process for non-residential structures.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval

Section 14: Urbanization
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.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Policy 14.1.2
Concept plans that provide more detail than the city's Comprehensive Plan will be required prior to development of lands within the Urban Growth Boundary.
Finding: Complies as Proposed. The subject area is included in the Park Place Concept Plan adopted in 2008.

Goal 14.2 Orderly Redevelopment of Existing City Areas
Reduce the need to develop land within the Urban Growth Boundary by encouraging redevelopment of underdeveloped or blighted areas within the existing city limits.
Policy 14.2.1
Maximize public investment in existing public facilities and services by encouraging redevelopment as appropriate.
Policy 14.2.2
Encourage redevelopment of city areas currently served by public facilities through regulatory and financial incentives.
Finding: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

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.
Finding: Complies as Proposed. The subject area is included in the Park Place Concept Plan adopted in 2008.

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.
Finding: Complies as Proposed. The proposed development is within the Park Place Concept Plan area; the Concept Plan requires a minimum of 937 units within the North Village area. The applicant is required provide residential density consistent with the Park Place Concept Plan and has proposed adjustments to standards, an NROD density transfer, and a variance for attached single family lot size in order to do so. While the zoning designations are not the maximum density within each Comprehensive Plan designation, the proposal from the applicant can meet the required densities in the Concept Plan.

Proposed minimum lot area and density are discussed in Chapter 17.08 and 17.10 of this report and in the discussion of density on Page 26.

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: Not applicable. These policies pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Goal 14.4 Annexation of Lands to the City
Annex lands to the city through a process that considers the effects on public services and the benefits to the city as a whole and ensures that development within the annexed area is consistent with the Oregon City Comprehensive Plan, City ordinances, and the City Charter.
Goal 14.5 Partnerships with Other Governments
Create and maintain cooperative, collaborative partnerships with other public agencies responsible for servicing the Oregon City area.
Finding: Complies with condition. Metro has notified the City that one of the tax lots of the 14 included in the development has not been annexed into the Metro district (as opposed to the Urban Growth Boundary, which all 14 tax lots are part of). 20. The applicant shall annex tax lot 2-2E-28D -00190 to the Metro boundary prior to a final plat involving all or part of that tax lot. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

Goal 14.6 Green Corridors and Green Belts
Promote green corridors and green belts in lands beyond Oregon City's Urban Growth Boundary to maintain the rural character of the landscape and unincorporated communities and to protect the agricultural economy of the region.
Finding: Not applicable. These goals pertain to actions that are to be taken by the City. The applicant is not required to demonstrate compliance with these policies.

Section 15: Willamette River Greenway

Goal 15.1 Protect the Willamette River Greenway
Ensure the environmental and economic health of the Willamette River by adopting goals, policies and procedures that meet LCDC Statewide Planning Goal 15, Willamette River Greenway.
Finding: Not applicable. The subject property is not within the Willamette River Greenway overlay district.

---END OF COMPREHENSIVE PLAN ANALYSIS---

Continuance of findings for General Development Plan:

7. The proposed general development plan is consistent with the underlying zoning district(s) and any applicable overlay zone or concept plans.
Finding: Complies with Conditions. The proposed plan is consistent with the uses and lot sizes permitted within the R-5 and the NC zone districts. Note that the applicant has applied for a variance to lot sizes within the R-5 zone.

In the R-10 zone, the applicant has shown lots of approximately 4,000 square feet. This lot size is not permitted unless a density transfer for the NROD is approved via OCMC 17.49. Since the applicant has not provided the necessary information to show compliance with OCMC 17.49 the proposed configuration of the R-10 area cannot be approved. The applicant shall revise the plans to maintain lot sizes permitted in the R-10 zone (with any approved adjustments per 17.65.070) or shall demonstrate compliance with OCMC 17.49 through a Type III Master Plan amendment application.

The applicable overlay zones include the Natural Resource Overlay zone and the Geologic Hazard Overlay zone.

The applicant did not submit code responses for Chapter 17.49 nor did the application request verification of the NROD boundary. Any Natural Resources Overlay District areas impacted by development will be reviewed for compliance with this section either before or at the time of first DDP application review. Since compliance cannot be confirmed at this time, a Type III review for Chapter 17.49 and Goal 5 compliance is required before or in conjunction with approval of any detailed development plan beyond Phase 1.

The applicant also did not submit code responses to Chapter 17.44 and did not request formal review of Geologic Hazards. Each DDP that includes land within the Geologic Hazard overlay will require a concurrent review of Geologic Hazards. Since compliance cannot be confirmed at this time, a Type III review for Chapter 17.44 compliance is required before or in conjunction with approval of any detailed development plan beyond Phase 1.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

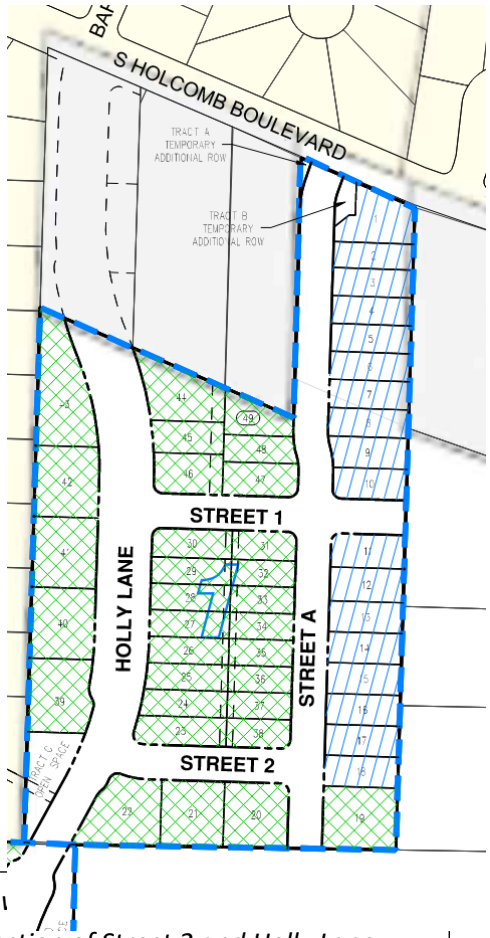
8. For projects with a residential use component, the proposed general development plan includes common open space for the recreational needs of the development's residents.

a. Required open space shall be located either on-site or off-site within one-quarter mile of the development.

Finding: Complies as Proposed. Open space is proposed in the form of a 4.3-acre public park, and numerous smaller open spaces throughout the site in sensitive lands, powerline easements, and overlay districts. Many of the natural open spaces are proposed to be developed with trails.

b. Minimum required open space shall be 100 square feet per residential unit in the development.

Finding: Complies as Proposed With the proposed 8/11/2022 revision, the applicant proposes ±440 residential units, which equates to ±44,000 square feet of open space. Over ±496,500 square feet are provided via open space tracts, public park, and dedicated civic space. In Phase 1 (49 units), approximately 8,800 square feet of open space is proposed in Tract C, which amounts to 179 square feet per unit.



Phase 1 diagram u
C near the intersection of Street 2 and Holly Lane.

The 4.3 acre park proposed in Phase 2 is sufficient to meet the requirement for Phase 2 and all subsequent phases. The applicant did not explicitly discuss the timing of actual development of the park. While the City plans to take on development of the amenities within the park, the applicant's contribution should be significant, given that the park will serve as the required open space for a majority of the proposed units. Public infrastructure including, water, sewer, storm, and street improvements shall be brought to and through the public right-of-way frontage of the park before or during the development phase that includes 60% of the approved residential units.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

c. The open space area may be in private ownership or proposed for public dedication, at the City's discretion whether to accept.

Finding: Complies with Condition. With the 8/11/2022 revision, approximately 4.3 acres of public park have been anticipated to be dedicated to the City. Approximately 11.4 acres of private open space with public access easements for trails have been planned as well. Per the annexation approval for the project site, Ordinance No. 18-1007 (AN-17-0004/ZC-17-0005), the area was required to incorporate park and trail areas generally consistent with the Park Place Concept Plan and Trails Master Plan. At the time a Detailed Development Plan is proposed that includes the properties designated as open space, the applicant shall provide documentation regarding the ownership and maintenance of all private open space areas.

d. The open space shall be developed with a unified design to provide for a mix of passive and active uses. Passive uses include, but are not limited to sitting benches, picnicking, reading, bird watching and natural areas. Active uses include, but are not limited to playgrounds, sports fields and courts, running and walking areas.

Finding: Complies with Condition. The applicant proposed open space areas within the Master Plan provide both passive and active use areas. These areas will connect to regional and local trails and provide walking and running trails through natural areas, benches for sitting, opportunities for birdwatching, etc. The City will lead the design and development of the 4.4 acre park land. The applicant has not proposed specific amenities within Tract C for the Phase 1 open space. Since the public park will be dedicated but will not be accessible or developed at the time of Phase 1 development, the open space within Tract C will need to include a mix of passive and active uses. The applicant shall provide at least two of the following amenities or features in Open Space Tract C of Phase 1 as part of the detailed development plan: benches, picnic tables, playgrounds, nature play elements, wildlife habitat installations, or other similar elements approved by the Community Development Director.

For future phases, the applicant shall provide amenities consistent with this condition in the proposed open space tracts if the public park remains undeveloped. Once the public park is developed, the open space amenities for the entire development will be considered met, and additional amenities on private land will be optional.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

e. Land area to be used for the open space area that is required in this section shall not include required setback areas, required landscaping, streets, rights-of-way, driveways, or parking spaces.

Finding: Complies as Proposed. Land designated as open space has not been included if it was required for a setback area, required landscaping, street, right-of-way, driveway, or parking.

f. Unless dedicated to the public, the applicant shall also provide an irrevocable legal mechanism for the maintenance of the open space and any related landscaping and facilities. The applicant shall submit, for city review and approval, all proposed deed restrictions or other legal instruments used to reserve open space and maintenance of open space and any related landscaping and facilities.

Finding: Complies with Condition. Areas that are acceptable for public use are anticipated to be dedicated to the City. Other open spaces are planned to be included under irrevocable legal mechanisms for landscaping and maintenance in the future at the appropriate time. The applicant shall submit, for city review and approval, all proposed deed restrictions or other legal instruments used to reserve open space and maintenance of open space and any related landscaping and facilities. The deed restrictions or other legal mechanisms shall provide for adequate maintenance of the facilities as well as public access easements for trails. **Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.**

9. For projects with a residential use component, the proposed general development plan includes a mix of residential uses such that no single residential use exceeds 75 percent of the total proposed units. The mix of residential uses shall provide variety of dwelling types and sizes that are integrated throughout the site, rather than isolated from one another, with smooth transitions between residential types including appropriate setbacks, landscaping or screening as necessary, while maintaining street and pedestrian connectivity between all residential uses. Tenancy (i.e. ownership versus rental) shall not be a consideration in determination of the mix of residential use. For the purposes of this section, residential uses include single family detached, single family attached, duplex, 3-4 plex, and multifamily.

Finding: Complies as Proposed. As a requirement of providing a Master Plan/General Development Plan, Park Place Crossing includes a mix of residential uses – single-family detached and single-family attached. Of the planned 440 residential units, 139 single-family attached units, or 31.5% of the total units, are planned. No single residential use is planned to exceed 75% of the total units. For each individual DDP application, the applicant shall demonstrate how the overall development will achieve a ratio that provides for a mix of residential types such that no single residential use exceeds 75 percent of the total proposed units. Additionally, each DDP application shall provide for compatible transitions between residential types including appropriate setbacks, landscaping or screening as necessary, while maintaining street and pedestrian connectivity between all residential uses. **Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.**

17.65.060 - Detailed development plan.

A. Submittal Requirements.

Finding: Not applicable. A detailed development plan is not proposed at this time.

17.65.070 - Adjustments to development standards.

A. Purpose. In order to implement the purpose of the city's master plan or planned unit development process, which is to foster the growth of major institutions, major residential, commercial or mixed-use development, and other large-scale development, while identifying and mitigating their impacts on surrounding properties and public infrastructure, an applicant may request one or more adjustments to the applicable development regulations as part of the master planning or planned unit development process, and are not required to go through the Variance process pursuant to OCMC Chapter 17.60.

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

Finding: The following adjustments are requested:

1. Density in 17.08.050 and 17.10.050: Current standard:

   Maximum R-10 density: 4.4 units per acre
   Maximum R-5 Density: 8.7 units per acre for detached units, 12.4 units per acre for attached units

   Applicant's description: "Due to greater steep slope and drainageway areas requiring preservation than originally accounted for as part of the Park Place Concept Plan, ±15.7 acres as part of the Park Place Crossing Master Plan versus ±11.4 acres accounted for as part of the PPCP, greater density is required to meet the intent of the Park Place Concept Plan.
   As shown in Table 2, Park Place Crossing offers a developable area of ±47.7 acres, resulting in a density of 9.1 dwelling units per net acre. This is an increase over the maximum residential density allowed within the combined underlying zoning districts of fewer than four percent, less than the ten percent maximum (with the NROD Density Transfer)

adjustment permitted."

2. Minimum lot size in 17.08.040 and 17.10.040: Current standard:

   Minimum R-10 Lot size: 10,000 square feet
   Minimum R-5 Lot size: 5,000 square feet for detached units, 3,500 square feet for attached units

   Applicant's description: "Adjustments to the dimensional standards of the underlying zone include reduction in minimum lot size from the underlying requirement of the R-5 zone: 5,000 square feet. A portion of the project lots, except for those along the perimeter of the site, are planned to be slightly smaller than required by the R-5 zone."

3. Garage orientation in OCMC 17.21.090.A: Current Standard:

   17.21.090 Garages and accessory structures.

   A. Garages must be detached, side entry or rear entry. For side entry garages: The garage area shall not be located in front of the living area. Accessory structures shall be designed consistent with the primary residence. Consistency of design includes the use of similar roofing, siding, and trim. For the purposes of this section, detached garages may be connected by a breezeway but consequently, will be subject to the setbacks of the underlying zone.

   B. Exemption: An exemption may be granted by the community development director from the garage requirement of subsection A above if topographic or pre-existing lot layout prevents the construction of detached, rear entry or side entry garages on-site or if the applicant proposes a design that mitigates the impact a front entry attached garage has on the pedestrian environment. Any alternative attached garage design shall not project farther than the living area and shall be limited to garage door widths of ten feet or less.

   Applicant's description:

   "OCMC 17.21.090.A requires that garages be detached, side entry, or rear entry. The Park Place Crossing Master Plan works best with no limitations on garage type or entry, therefore, an adjustment is required, as provided for by OCMC 17.65.070.C.
   A mixture of front-entry, attached, side entry, and rear entry, appropriate for the site, is beneficial to the Park Place Crossing neighborhood. The variety of designs allows for site constraints to be best resolved, less paving to be provided, safe accesses to be decided, and appropriate home designs determined to fit the project. Where attached front entry garages are provided, the minimum garage door width required is 16-feet, with a 20-foot width driveway."

Staff findings and recommendations for the requested adjustments are included below.

C. Regulations That May be Adjusted. Adjustments may be allowed for the following items:
1. Dimensional standards of the underlying zone of up to 20 percent, except the perimeter of the development shall meet the underlying zone's setbacks when adjacent to residentially zoned property.

2. Site plan and design standards.
3. Residential design standards.
4. Increase in allowed maximum residential density of up to 10 percent.
5. Standards for land division approval.
6. Additional uses allowed with residential projects, or residential component of projects:
   a. Notwithstanding the use provisions of the underlying zones, neighborhood commercial uses as defined in Chapter 17.24.020, including restaurants and eating and drinking establishments without a drive-through, retail trade, and services, are permitted on up to 10 percent of the net developable area. The neighborhood commercial uses shall be planned and constructed so as to support and be compatible with the entire development and shall not alter the character of the surrounding area so as to substantially preclude, impair or limit the use of surrounding properties for the primary uses listed in the underlying district.
   b. Public or private parks and playgrounds, community buildings and/or outdoor recreational facilities, such as swimming pools and tennis courts;
   c. Indoor recreational facilities, such as racquetball or tennis courts, fitness centers or swimming pools;
   d. Common public and private open space including trails.
   e. Primary or accessory uses that are not identified as a permitted or conditional use in the underlying zone but which are defined in the code.

Finding: Complies as proposed. The applicant requested adjustments to standards through a Type III Master Plan review, including #1, #3, and #4 listed in this standard. The applicant included a discussion of Holly Lane design in this section; however, that request is considered a modification to a public improvement standard and is reviewed in OCMC 16.12.013.

D. Regulations That May Not be Adjusted. Adjustments are prohibited for the following items:
1. To allow a primary or accessory use that is not identified as a permitted, or conditional use in the underlying zone, with the exception of the additional uses permitted under OCMC 17.65.070.C.6 above; ;
2. To any regulation that contains the word "prohibited";
3. As an exception to a threshold review, such as a Type III review process; and
4. Minimum density for residential sites may not be reduced.

Finding: Not applicable. No adjustments of the above-listed or prohibited regulations are proposed.

E. Approval Criteria. A request for an adjustment to one or more applicable development regulations under this section shall be approved if the review body finds that the applicant has shown the following criteria to be met.

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

Finding: Complies with Condition.

The applicant requested three separate adjustments; 1. Density in 17.08.050 and 17.10.050, 2. Minimum lot size in 17.08.040 and 17.10.040, and 3. Garage orientation in OCMC 17.21.090.A.

Adjustment #1, Density and Adjustment #2, Minimum Lot Size

The applicant responded to this criterion with the following description:

> "The existing conditions on-site show that greater areas than originally planned are needed for the protection of natural resource and geologic hazards areas. Granting the adjustments will allow better use of this highly constrained project site and protection of steep slope and drainageway areas. The Park Place Concept Plan envisions residential areas that can support mixed-use/neighborhood commercial, parks, and other community amenities. These planned factors require that the envisioned density be met to a similar degree.
>
> Due to these constraints, a percentage of smaller lots are necessary in order to balance

> the minimum density of the underlying zoning and the number of residences envisioned within the Park Place Concept Plan. The purpose of density standards within the Park Place Concept Area is to provide a reasonable transition between existing neighborhoods and future higher density areas near the North and South Village central areas. Zoning densities provide a similar reasoning, establishing a reasonable range of dwelling units per net developable area in order to both provide homes and prevent crowding of existing neighborhoods.

Staff generally concurs with the applicant regarding the adjustments to lot size and density. With the proposed 8/11/2022 revision, the applicant has proposed a 440 total units. The Park Place Concept Plan includes 1,459 total residential units, with 937 in the North Village area. The Park Place Crossing Master Plan area encompasses approximately 50% of the acreage of the North Village area. It is the applicant's responsibility to show that the number of units proposed will be consistent with the Park Place Concept Plan as well as within the minimum and maximum densities of the zone. Based on zoning alone, applying the minimum density standard would result in 318 units in the project area. This would only provide 34% of the total 937 units required in the North Village, and would put a burden on the remaining properties in the North Village to develop at densities that may be infeasible and/or inconsistent with the Concept Plan itself.

It is important to note that the City anticipated further rezoning of at least some of the land to achieve the required Concept Plan densities, expecting that some of the R-5 zone would need to be rezoned to R-3.5. The applicant has not proposed such a zone change, but has instead included attached single family uses in the R-5 zone, which have a higher maximum density standard and allows the applicant to provide the needed density without a zone change. The applicant has further requested an adjustment to maximum density of approximately 4%, which is allowed by through a Master Plan process and further serves to allow the applicant to achieve the density anticipated in the Concept Plan.

In the R-10 zone, the applicant has shown lots of approximately 4,000 square feet. The applicant has proposed an NROD density transfer through 17.49.240 and an 20% adjustment to dimensional standards through 17.65.070. A density transfer is possible for this development, as the applicant has demonstrated in responses to OCMC 17.49.240. However, the density transfer allows for lots to be reduced to a minimum of 5,000 square feet. The applicant has proposed to further reduce the lot size by applying the 20% adjustment to the already-reduced lot size.

The intent of the code in 17.65.070 is to allow for a 20% adjustment to the base zone dimensional standards, which means, an R-10 lot could be reduced from 10,000 sf to 8,000 square feet. The adjustment cannot be applied to allow the 5,000 square foot lot to be reduced to 4,000 square feet. Thus, the applicant shall ensure that lots in the R-10 zone are 5,000 square feet or more in area for future detailed development plan applications that show compliance with OCMC 17.49.240 for NROD density transfer. If density transfer standards cannot be met in future detailed development plan applications, the minimum size for lots within the R-10 zone will be 8,000 square feet, (assuming the requested 20% adjustment is approved).
Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

Adjustment #3. Garage Orientation

Complies with Conditions. The applicant responded to this criterion with the following description:

"Adjustment of residential design standards allows the smart use of the project site without the establishment of alleys and rear-entry garages in locations that would impede on natural resources areas and create greater areas of impervious surface."

"OCMC 17.21.090.A requires that garages be detached, side entry, or rear entry. The Park Place Crossing Master Plan works best with no limitations on garage type or entry, therefore, an adjustment is required, as provided for by OCMC 17.65.070.C."
"A mixture of front-entry, attached, side entry, and rear entry, appropriate for the site, is beneficial to the Park Place Crossing neighborhood. The variety of designs allows for site constraints to be best resolved, less paving to be provided, safe accesses to be decided, and appropriate home designs determined to fit the project. Where attached front entry garages are provided, the minimum garage door width required is 16-feet, with a 20-foot width driveway."

~~Staff finds that the request for adjustment for garage orientation does not comply with the purpose of the standard, and recommends that that this adjustment be denied and that the applicant be subject to the standard as written for the reasons below.~~

~~The purpose of the garage design standard for detached, rear entry or side entry garages was to fulfill the Concept Plan vision of community-oriented development. The purpose statement in OCMC 17.21 is "The intent of this chapter is to ensure new development implements the goals and policies of the Park Place Concept Plan area and the historic architectural styles of Oregon City. Appropriate architectural styles include: Western Farmhouse/Vernacular, Bungalow, Queen Anne Vernacular and Foursquare."~~

~~The following language within the Concept Plan also explains the purpose of the design standards (underlines added for emphasis).~~

> ~~*Single-family houses can be a range of sizes, styles, and colors. Above all, they should be community-oriented with architectural elements that encourage "eyes on the street" and neighbor interaction.*~~
> ~~*Multi-family housing clustered around common open spaces (instead of parking lots) help foster a sense of community that usually isn't found in conventional apartment complexes. Vehicle access is provided in the rear and with alleys. There are a variety of ways to provide quality, community-oriented apartments. In some cases, apartment complexes can be designed to look like single-family residences and contain six or seven apartments. This provides density without dramatically changing the character of the neighborhood.*~~

The applicant submitted a new Exhibit 7 for the revised layout indicating the locations of alley-loaded and topographically constrained lots. With the applicant's revised submittal, alleys have been added to this General Development Plan application to allow additional homes to provide rear access. Perimeter lots, because they abut either natural areas or existing homes, and lots in areas with topographic constraints have not been planned with alley access. The addition of these alleys will reduce the number of driveways accessing local streets, providing greater opportunities for planter strips and on-street parking while reducing the number of pedestrian/vehicle conflicts, meeting the intent of the Park Place Concept Plan.

~~Designs that include garages that are side-oriented, detached, or rear-oriented typically achieve a more pedestrian-friendly neighborhood because curb cuts for driveways are narrower, the area between the sidewalk and front of a house is used for landscaping, gardens, or porches rather than storage for cars, and front facades are not dominated by garage doors. Fewer and narrower driveway cuts results in more space for street trees and therefore more shade over the sidewalk. Fewer, narrower driveway cuts also results in more space for on-street parking. There are many ways that housing can be designed with side, rear, or detached garages, including through the use of alleys, shared driveways, narrow driveways that lead to a detached garage behind the house, or no garage at all. It is important to note that garages are not required for any housing and that they add to the cost of a home, so homes without garages or with smaller garages are more affordable.~~

~~The applicant argues that requiring side, rear or detached garages would increase impervious surfaces. However, the applicant has not provided a diagram, example site plans, or any other evidence to support this claim. The applicant also states "Where attached front entry garages are provided, the minimum garage door width required is 16-feet, with a 20-foot width driveway." While a 16-foot garage door would be narrower than many detached homes built recently, it would still be a significant portion of a front façade on a 40- to 50-foot-wide lot. The standards adopted for the Park Place Concept Plan were adopted through a robust community engagement process. The applicant has not provided evidence that the requested adjustment meets the purpose of the standard or would fulfill the vision of the Concept Plan.~~ ~~**Staff recommends that this adjustment be denied**~~ ~~and that the applicant be subject to the standard as written.~~

This standard provides for a possible Type II exemption during the DDP review process or as a separate Type II review, if the applicant can demonstrate that there are topographic constraints present. The code reads "*An exemption may be granted by the community development director from the garage requirement of subsection A above if topographic or pre-existing lot layout prevents the construction of detached, rear entry or side entry garages on-site or if the applicant proposes a design that mitigates the impact a front entry attached garage has on the pedestrian environment. Any alternative attached garage design shall not project farther than the living area and shall be limited to garage door widths of ten feet or less.*"

The applicant has provided significant revisions to the layout of the subdivision and generally concurs that it is not feasible or practical to provide rear loaded, sideloaded, and alley loaded lots on lots that are topographically constrained. Furthermore, the applicant has increased the number of alley loaded lots and removed a significant number of the front loaded lots that were initially proposed. Since lot layouts and garage locations will be subject to further refinement with subsequent DDP submittals, the applicant shall provide revised justification for granting the exception to the garage orientation standard with each DDP submittal.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

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

Finding: Complies as Proposed. The effects of the adjustments are adequately defined in the findings and their cumulative impact is taken into account.

The applicant states "The needed adjustments are complimentary, and the cumulative effect of the adjustments results in a project that is still consistent with the overall purpose of the zone and the Park Place Concept Plan. The adjustments are small, however, because of the differences between the concept plan and existing conditions, together serve to implement the vision of the Park Place Concept Plan and the Low and Medium-Density

Residential zoning districts." Staff agrees except with respect to the garage loading issue as discussed above.

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

Finding: Complies as Proposed.

Granting of these adjustments will have no impact on protection of Goal 5 resources. The requested adjustment to density and lot size is consistent with the applicant's proposal to protect the NROD areas on-site as well as adjacent lands that provide habitat.

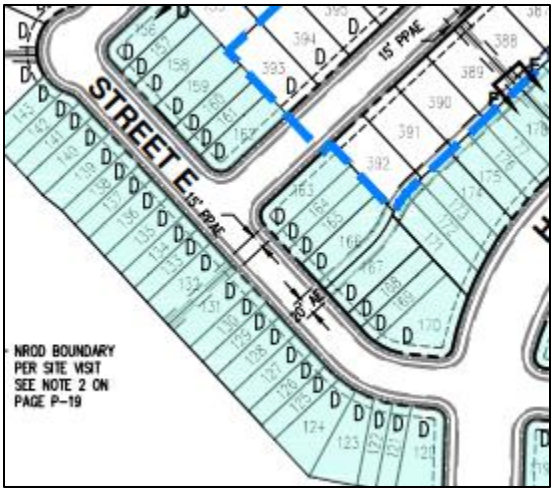
4. Any impacts resulting from the adjustment are mitigated such that the development does not create significant adverse impacts on adjacent properties;

Finding: Complies with condition. The applicant requested three separate adjustments; ~~staff finds that the garage loading request does not comply with this standard~~. Since the original request, the applicant has proposed revisions that include additional alleys and relocation of townhomes units away from the western edge of the development, The applicant responded to this criterion with the following description:

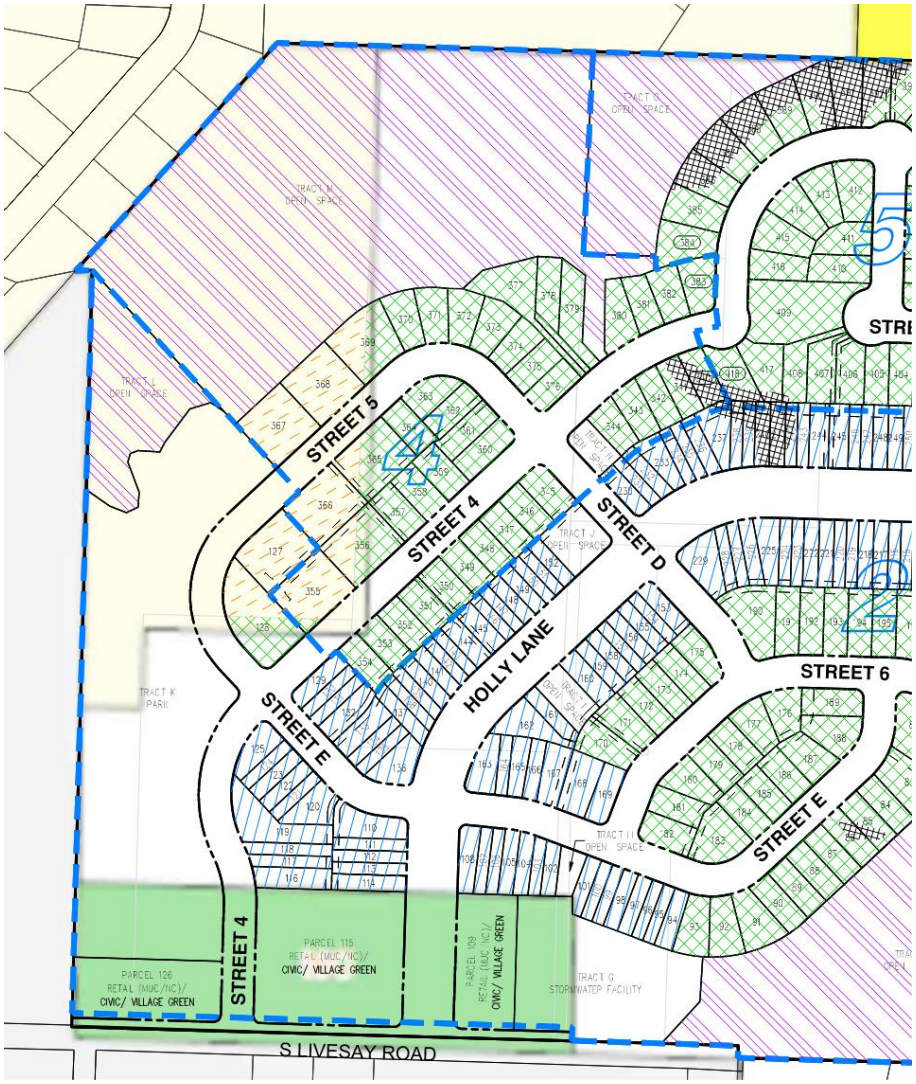
> "Negative impacts resulting from these adjustments are not anticipated. The adjustments allow for a master plan project that is consistent with the Park Place Concept Plan and is responsive to the existing surrounding environmental constraints, natural resources preservation, avoidance of natural hazards areas, and the needs of abutting existing and future neighborhoods. Mitigation for the increased density planned includes additional traffic mitigation contributions and open spaces beyond those envisioned within the Park Place Concept Plan. These contributions allow for the preservation of more additional natural areas than previously envisioned as part of the Park Place Concept Plan and allow for the continued enjoyment of Park Place's natural beauty and important ecosystem functions.
> The planned number of units remains below the threshold established by Ordinance No. 18-1007 (AN-17-0004/ZC-17-0005) for the Park Place Crossing annexation area."

The applicant states that mitigation for the increased density includes additional traffic mitigation contributions. It is not clear what the applicant is referring to here. Regarding open spaces, it is correct that the applicant has proposed more acreage in open space than was shown in the Park Place Concept Plan. Open spaces do provide appropriate mitigation for greater density. With the 8/11/2022 revision, the applicant has proposed 4.3 acres of land to be dedicated for a public park. Staff recommends conditions of approval regarding bringing public infrastructure to the park frontage and ensuring timely dedication of the 4.3 acres. See findings and conditions in 17.65.050.C.3.

The applicant shows driveways for proposed attached units on Street E. With lot widths adjusted to be 20% less than the minimum standard, driveways will create many conflicts, including elimination of curb space for on-street parking, elimination of planter strip space for street trees and other needed infrastructure (hydrants, water and sewer laterals, street lights, etc), and conflicts with walkability. The Park Place Concept plan area design standards call for garages to be rear-loaded, side oriented, or detached for the purpose of providing a pedestrian friendly environment. For attached units, side-oriented garages are unlikely to be feasible. Rear loaded (whether attached or detached) may be the only feasible way to provide garages for attached units on narrow lots. The design standards are silent on front-facing driveways, however.



Attached units on Street E with driveways as originally proposed.



Revised plan with new Street 4, Street E, park location, alleys

With the revisions proposed by the applicant there are very few townhome lots proposed with front loaded garages, and these would only be located in areas where the code allows for exemption from the standard due to topographic constraints. The revisions will significantly increase the available curb length for on-street parking. As mitigation for ~~If the City is to approve an~~the adjustment to dimensional standards to allow reduced lot widths and a variance that will allow for denser attached unit development, some ~~there needs to be a~~ restriction ~~in place~~ on driveways is needed to protect the pedestrian environment.

Therefore, staff recommends that driveways ~~shall~~ be limited to provide for the following on all local streets:

- No driveway approach, including wings, shall be more than 50% of the width of the lot.
- ~~Curb space for on-street parking shall be present on 50% or greater of the total block face. For example, for a block that is 400 feet long, 200 feet of curb space shall be available for on-street parking, with minimum on-street parking space measured at 22 feet of curb length.~~
- Shared driveways may be utilized to meet these conditions
- Alleys may be utilized as an alternative to driveways to meet these conditions
- Alley width may be reduced to 12-foot one-way circulation, to reduce amount of impervious surface needed, if approved by the City Engineer.

The requested adjustment to the garage design standard will have impacts on the pedestrian environment and general character of the neighborhood. Front-facing garages and 20-foot wide driveways eliminate the benefits of designs that include garages that are side-oriented, detached, or rear-oriented, which typically achieve a more pedestrian-friendly neighborhood because driveway cuts are narrower, the area between the sidewalk and front of a house is used for landscaping, gardens, or porches rather than storage for cars, and front facades are not dominated by garage doors. Fewer and narrower curb cuts results in more space for street trees and therefore more shade over the sidewalk. Fewer, narrower curb cuts also results in more space for on-street parking. The only mitigation proposed by the applicant is to limit the garage door width to 16 feet and the driveway width to 20 feet. Staff finds that the impacts from front loaded garages are not mitigated and recommends that the adjustment be denied.
Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

5. If an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable; and.
Finding: Complies as Proposed. The applicant provided the following response; staff concurs:
"The area includes Natural Resources Overlay District areas within the northwest and southeast portions of the site but does not anticipate impacts to these areas other than for the establishment of trails. Adjustments to the standards affecting the master plan for Park Place Crossing allows these areas to remain largely unaffected by the project. The specific impacts will be reviewed further with successive Detailed Development Plan applications."

6. The proposed adjustment is consistent with the Oregon City Comprehensive Plan and a concept plan if applicable .
Finding: Complies as Proposed. The density and lot size adjustments are consistent with the Oregon City Comprehensive Plan and Park Place Concept Plan. Adjustments to the planned density of the area allow the implementation of the Park Place Concept Plan in creating neighborhoods complete with mixed use/neighborhood commercial centers, civic areas, and parks. The adjustments allow the efficient use of land, which would be of greater difficulty without the adjustments, due to the site's constraints. Staff finds that the

request for an adjustment to garage design standards is not consistent with the Park Place Concept Plan. See findings in response to OCMC 17.65.070.E.1.

17.65.80 - Amendments to approved plans.

A. When Required. An amendment to an approved General Development Plan or detailed development plan is required for any use or development that is not in conformance with the applicable plan, as provided below. The approval criteria contained in OCMC 17.65.050 will apply to general development plan amendments, the approval criteria contained in OCMC 17.65.060 will apply to detailed development plan amendments. The thresholds and procedures for amendments are stated below.

Finding: Not applicable. This application is for a General Development Plan. Amendments may be proposed in the future but no amendments are included in the current request.

B. Type III Procedure. Unless the approved general development plan or detailed development plan specifically provides differently, amendments to either plan that require a Type III procedure are:

1. *A proposed expansion of the approved boundary;*
2. *A proposed reduction in the approved boundary that affects a condition of approval, or takes the site out of conformance, or further out of conformance, with a development standard;*
3. *Proposals that increase the amount, frequency, or scale of a use over ten percent of what was approved (examples include the number of students, patients or members; the number of helicopter flights; the number or size of special events; transportation impacts);*
4. *New uses not covered in the plan that will increase vehicle trips to the site greater than 10 percent of the original amount approved;*
5. *Increases or decreases in overall floor area of development on the site or number of residential units of over ten percent;*
6. *A increases/decrease greater than ten percent in the amount of approved or required parking; and*
7. *Proposed uses or development which were reviewed, but were denied because they were found not to be in conformance with an approved plan.*

C. Type II Procedure. Unless an approved plan specifically provides otherwise, amendments to a general development plan or detailed development plan not specifically stated in Subsection B or D are processed through a Type II procedure.

D. Type I Procedure. Unless an approved plan specifically provides otherwise, the following amendments to a general development plan or detailed development plan shall be processed through a Type I procedure:

1. *Accessory uses and structures that meet applicable development regulations;*
2. *Reconfiguration of approved parking or landscape designs that do not alter the points of ingress or egress, and do not change the number of parking spaces required, so long as the reconfiguration meets applicable development regulations; and*
3. *Structures for approved uses that do not exceed one thousand five hundred square feet in size and that meet applicable development regulations.*

Finding: Complies with Condition. The applicant has not proposed any amendments because this is the initial review of a General Development Plan for the site. No uses are proposed on the commercial parcels in the NC zone at this time. The intent of this standard is not to require an amendment when development that meets standards in OCMC 17.62 is proposed on the commercial parcels. Future development proposals for the commercial parcels in the GDP area may be reviewed through Type II DDP process; a Type III Master Plan amendment is not required unless one of the thresholds in B.1-4 are met. **Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.**

17.65.090 - Regulations that apply.

An applicant is entitled to rely on land use regulations in effect on the date its general development plan application was initially submitted, pursuant to ORS 227.178(3), as that statute may be amended from time to time. After a general development plan is approved, and so long as that General Development Plan is in effect, an applicant is entitled to rely on the land use regulations in effect on the date its general development plan application was initially submitted, as provided above, when seeking approval of detailed development plans that implement an approved general development plan. At its

option, an applicant may request that a detailed development plan be subject to the land use regulations in effect on the date its detailed development plan is initially submitted.

Finding: Complies. The Applicant has requested and is approved to utilize the 2021 Oregon City Municipal Code as adopted at the time of the Master Plan submittal for the life of the Master Plan. The applicant may also choose to use the current code year at a future DDP application, though only one code year must be elected for review of the whole of each DDP submittal.

CHAPTER 16.08 – LAND DIVISIONS - PROCESS AND STANDARDS

Staff note: Approval criteria for General Development plans include the following: "Development shall demonstrate compliance with OCMC 12.04 16.12, 17.62, if applicable, and 16.08, if applicable." The criteria of OCMC 16.08 will be addressed through a future Detailed Development Plan/subdivision application. Those standards that are relevant to this review are discussed in the findings below to establish that compliance with these standards is feasible when particular development is proposed.

16.08.025 - Preliminary plat—Required information.

The preliminary plat shall specifically and clearly show the following features and information on the maps, drawings, application form or attachments. The preliminary plat layout may be prepared by a civil engineer, architect, land use planner or similarly qualified professional. All maps and site drawings shall be at a minimum scale of one inch to fifty feet.

A. Site Plan. A detailed site development plan drawn to scale by a licensed professional based on an existing conditions plan drawn by a licensed surveyor. The site plan shall include the location and dimensions of lots, streets, existing and proposed street names, pedestrian ways, transit stops, common areas, parks, trails, open spaces, building envelopes and setbacks, all existing and proposed utilities and improvements including sanitary sewer, stormwater and water facilities, total impervious surface created (including streets, sidewalks, etc.), all areas designated as being within an overlay district and an indication of existing and proposed land uses for the site. If required by staff at the pre-application conference, a connectivity analysis shall be prepared by a transportation engineer licensed by the State of Oregon that describes the existing and future vehicular, bicycle and pedestrian connections between the proposed subdivision and existing or planned land uses on adjacent properties. The connectivity analysis shall include shadow plats of adjacent properties demonstrating how lot and street patterns within the proposed land division will extend to and/or from such adjacent properties and can be developed meeting the existing OCMC design standards and adopted Transportation System Plan, street design standards, and adopted concept plans, corridor and access management studies, engineering standards and infrastructure analyses.

B. Traffic/Transportation Plan. The applicant's traffic/transportation information shall include two elements: (1) A detailed site circulation plan showing proposed vehicular, bicycle, transit and pedestrian access points and connections to the existing system, circulation patterns and connectivity to existing rights-of-way or adjacent tracts, parking and loading areas and any other transportation facilities in relation to the features illustrated on the site plan; and (2) a traffic impact study prepared by a qualified professional transportation engineer, licensed in the State of Oregon, that assesses the traffic impacts of the proposed development on the existing transportation system and analyzes the adequacy of the proposed internal transportation network to handle the anticipated traffic and the adequacy of the existing system to accommodate the traffic from the proposed development. In the preparation of the Traffic/Transportation Plan, the applicant shall reference the adopted Transportation System Plan. The Community Development Director may waive any of the foregoing requirements if determined that the requirement is unnecessary in the particular case.

C. Natural Features Plan and Topography, Preliminary Grading and Drainage Plan. The applicant shall submit a map illustrating all of the natural features and hazards on the subject property and, where practicable, within 250 feet of the property's boundary. The map shall also illustrate the approximate grade of the site before and after development. Illustrated features shall include all proposed streets and cul-de-sacs, the location and estimated

volume of all cuts and fills, and all stormwater management features. This plan shall identify the location of drainage patterns and courses on the site and within 250 feet of the property boundaries where practicable. Features that shall be illustrated shall include the following:

1. *Proposed and existing street rights-of-way and all other transportation facilities;*
2. *All proposed lots and tracts;*
3. *All trees proposed to be removed prior to final plat with a diameter six inches or greater diameter at breast height (d.b.h);*
4. *All natural resource areas pursuant to OCMC 17.49, 17.48, 17.44, and 17.42;*
5. *The location of any known state or federal threatened or endangered species or wildlife habitat or other natural features listed on any of the City's official inventories;*
6. *All historic areas or cultural features acknowledged as such on any federal, state or city inventory;*

D. Archeological Monitoring Recommendation. For all projects that will involve ground disturbance, the applicant shall provide,

1. *A letter or email from the Oregon State Historic Preservation Office Archaeological Division indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the Oregon State Historic Preservation Office and that the Oregon State Historic Preservation Office had not commented within forty-five days of notification by the applicant; and*
2. *A letter or email from the applicable tribal cultural resource representative of the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation indicating the level of recommended archeological monitoring on-site, or other written demonstration that the applicant notified the applicable tribal cultural resource representative and that the applicable tribal cultural resource representative had not commented within forty-five days of notification by the applicant.*

   If, after forty-five days notice from the applicant, the Oregon State Historic Preservation Office or the applicable tribal cultural resource representative fails to provide comment, the City will not require any responsive letter or email as part of the completeness review. For the purpose of this section, ground disturbance is defined as the movement of native soils.

   The Community Development Director may waive any of the foregoing requirements if the Community Development Director determines that the requirement is unnecessary in the particular case and that the intent of this chapter has been met.

16.08.030 - Preliminary plat—Narrative statement.

In addition to the plans required in the previous section, the applicant shall also prepare and submit a narrative statement that addresses the following issues:

A. Description. A detailed description of the proposed development, including a description of proposed uses, number and type of residential units, allocation and ownership of all lots, tracts, streets, and public improvements, the structure of any homeowner's association, and each instance where the proposed subdivision will vary from some dimensional or other requirement of the underlying zoning district.

B. Timely Provision of Public Services and Facilities. The applicant shall explain in detail how and when each of the following public services or facilities is, or will be, adequate to serve the proposed development by the time construction begins:

1. *Water,*
2. *Sanitary sewer,*
3. *Storm sewer and stormwater drainage,*
4. *Parks, trails and recreation facilities, if determined to be necessary pursuant to the Oregon City adopted Trail Master Plan and / or Parks and Recreation Master Plan*
5. *Traffic and transportation, and*
6. *Fire and police services*

Where adequate capacity for any of these public facilities and services is not demonstrated to be currently available, the applicant shall describe how adequate capacity in these services and facilities will be financed and constructed before recording of the plat;

C. Drafts of the proposed covenants, conditions and restrictions (CC&Rs), maintenance agreements, homeowner association agreements, dedications, deeds easements, or reservations of public open spaces not dedicated to the City, and related documents for the land division;

D. Overall density of the land division and the density by dwelling type for each.

Finding: Not applicable. The applicant has not requested approval of a preliminary plat. The proposed General Development Plan will be followed by subsequent detailed development plans, which will be subject to this code section and reviewed for compliance at that time.

16.08.040 – Park and Open Space Requirements.
Additional Public Park and Open Space Requirements in Thimble Creek Concept Plan area- residential development.

Finding: Not applicable. The site is not within the Thimble Creek Concept Plan area.

16.08.045 - Frontage width requirement.
Each lot shall abut upon a street other than an alley for a width of at least twenty feet unless flag lots are provided pursuant to OCMC 16.08.050, except for Cluster Housing development pursuant to OCMC 17.20.020.

Finding: Complies as Proposed. The proposed General Development plan generally meets this standard. Future detailed development plan applications will be required to show compliance with this standard.

16.08.050 - Flag lots.

A. Flag lots shall not be permitted except where the applicant can show that the existing parcel configuration, topographic constraints or the location of a pre-existing dwelling unit precludes a land division that meets the minimum density, dimensional standards of the underlying zone, and except where street connectivity is not practicable as determined by the City Engineer.

B. A shared joint accessway shall be provided unless the existing topography of the site or the pre-existing dwelling unit is located on the property to prevent a joint accessway. A perpetual reciprocal access easement and maintenance agreement shall be recorded for the joint accessway, in a form acceptable to the City Attorney.

C. Accessways shall have a pavement width of at least sixteen feet to service one or two units or twenty feet to service three or more units. A fire access corridor of at least twenty feet shall be provided to all parcels with a minimum pavement width of sixteen feet to service two units or twenty feet to service three or more units. At least six inches of shoulder on each side of the fire access corridor shall be provided in order that construction work does not infringe on adjacent properties. A narrower pavement width may be approved by the Fire District and City Engineer. The City Engineer and/or Fire District may require that additional fire suppression devices be provided to assure an adequate level of fire and life safety. The City Engineer and/or Fire District may prohibit vehicular obstruction, including trees, fences, landscaping and structures within the fire access corridor.

If the proposed accessway exceeds 150 feet in length the accessway shall conform to Fire District standards and shall be paved to a minimum width of twenty feet unless an alternative is approved by the Planning Division and Fire District. If more than two residences are served, a turnaround for emergency vehicles shall be provided. The turnaround shall be approved by the City Engineer and Fire District.

D. The pole portion of the flag lot shall connect to a street.

E. The pole shall be at least ten feet wide for the entire length.

F. The pole shall be part of the flag lot and shall remain under the same ownership as the flag portion of the lot.

Finding: Complies with Condition. The applicant has included a small number of flag lots in the development, stating "the planned flag lots meet the accessway and dimensional requirements of this code section." The applicant has not sufficiently demonstrated that topographic constraints or other factors are present which justify the use of flag lots. Flag lots will be reviewed against the criteria in OCMC 16.08.050 for each detailed development plan and will not be permitted if the criteria are not met. **Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.**

16.08.053 Tracts

Tracts which cannot be developed with a home or office, commercial, residential, institutional, industrial, parking or other uses as determined by the City Engineer or Community Development Director are not subject to compliance with the dimensional standards of the zoning designation, frontage requirements, or flag lot standards.

Finding: Complies with Condition. The proposal includes tracts for stormwater facilities and open spaces are appropriately identified. However, the sites within the Neighborhood Commercial Zone are improperly identified as tracts; these shall be identified in some other way and not as "Tracts," in future development applications. **Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.**

16.08.060 - Building sites.

A. The size, width, shape and orientation of building sites shall be rectangular or square to the maximum extent practicable.

Finding: Complies as Proposed. The proposed General Development plan generally meets this standard. Future detailed development plan applications will be required to show compliance with this standard.

B. Sites abutting an alley shall gain vehicular access from the alley unless deemed impracticable by the decision maker.

Finding: Complies as Proposed. Alleys are proposed in some portions of the development, consistent with the Park Place Concept Plan. All lots abutting the alley gain access from the alleyway. The proposed General Development Plan indicates that compliance with this standard is feasible. Future detailed development plan applications will be required to show compliance with this standard.

C. *Adequate access for emergency services (fire and police) shall be provided.*

Finding: Complies as Proposed. The applicant's plan includes at least two access points for emergency vehicles to enter the neighborhood. The proposed General Development Plan indicates that compliance with this standard is feasible. Future detailed development plan applications will be required to show compliance with this standard.

16.08.063 - Minimum density.

All layouts shall achieve at least the minimum density of the base zone for the net developable area as defined in OCMC 17.04. Alternatively, a site may be partitioned into two lots, though one of the lots shall not contain sufficient lot area to allow further division

Finding: Complies as proposed. The proposed development is within the Park Place Concept Plan area; the Concept Plan requires a minimum of 937 units within the North Village area. The applicant is required to meet the density approved in the Park Place Concept Plan and has proposed adjustments to standards, an NROD density transfer, and a variance for attached single family lot size in order to do so. While the zoning designations are not the maximum density within each Comprehensive Plan designation, the proposal from the applicant can meet the required densities in the Concept Plan.

Proposed minimum lot area and density are discussed in Chapter 17.08 and 17.10 of this report and in the discussion of density on Page 26.

16.08.065 – Lot size reduction.

A subdivision in the R-10, R-8, R-6, R-5, or R-3.5 dwelling district may utilize lot size reduction for up to twenty-five percent of the lots proposed for single-family detached residential use. Fractions resulting from the twenty-five percent calculation

shall be rounded down. The reduced-size lots may be up to ten percent less than the required minimum lot area of the applicable zoning designation provided the average lot size of all proposed single-family detached residential lots meet the minimum requirement of the underlying zone. Any area within a powerline easement on a lot shall not count towards the lot area for that lot. Lot size reduction is only permitted through a subdivision or, master plan and planned unit developments processes and may not be used for minor partitions or any other residential uses.
The average lot area is determined by first calculating the total net developable area devoted to single-family detached dwelling units, subtracting the powerline easement areas, open space, tracts, stormwater facilities, roads, right-of-way, or accessways and dividing that figure by the proposed number of single-family detached dwelling lots.
A lot that was created pursuant to this section may not be further divided unless the average lot size requirements are still met for the entire subdivision.
When a lot abuts a public alley, an area equal to the length of the alley frontage along the lot times the width of the alley right-of-way measured from the alley centerline may be added to the area of the abutting lot in order to satisfy the lot area requirement for the abutting lot. It may also be used in calculating the average lot area.

Finding: Not applicable. The applicant has not proposed lot size reduction pursuant to this section. Lot size reductions are proposed pursuant to the adjustment standards in OCMC 17.65 and as permitted for NROD density transfer in OCMC 17.49.

16.08.070 - Through lots.
Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major arterials or to overcome specific disadvantages of topography of existing development patterns. A reserve strip may be required. A planting screen restrictive covenant may be required to separate residential development from major arterial streets, adjacent nonresidential development, or other incompatible use, where practicable. Where practicable, alleys or shared driveways shall be used for access for lots that have frontage on a collector or minor arterial street, eliminating through lots.

Finding: Not applicable. Future detailed development plan applications will be required to show compliance with this standard if through lots are proposed.

16.08.075 - Building site—Lot and parcel side lines.
The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve. Lot and parcel side lines for cluster housing projects proposed consistent with the standards in OCMC 17.20.020 are not subject to this standard.

Finding: Complies as Proposed. The proposed General Development Plan indicates that compliance with this standard is feasible. Future detailed development plan applications will be required to show compliance with this standard.

16.08.080 - Setbacks and building location.
This standard ensures that lots are configured in a way that development can be oriented toward streets to provide a safe, convenient and aesthetically pleasing environment for pedestrians and bicyclists. Houses oriented in this manner assure a sense of openness by avoiding the "bowling alley" effect caused by uninterrupted, continuous privacy fences along higher volume streets. The objective is for lots located on a neighborhood collector, collector or minor arterial street to locate the front yard setback on and design the most architecturally significant elevation of the primary structure to face the neighborhood collector, collector or minor arterial street,

A. The front setback of all lots located on a neighborhood collector, collector or minor arterial shall be orientated toward the neighborhood collector, collector or minor arterial street.
B. The most architecturally significant elevation of the house shall face the neighborhood collector, collector or minor arterial street.
C. On corner lots located on the corner of two local streets, the main façade of the dwelling may be oriented towards either street.

D. The decision maker may approve an alternative design, consistent with the intent of this section, where the applicant can show that existing development patterns preclude the ability to practically meet this standard.

Finding: Not applicable for the General Development Plan. Lots that front Holcomb Boulevard and proposed Holly Lane will be subject to these standards. Future detailed development plan applications will be required to show compliance with this standard.

16.08.095 - Prohibition on Additional Private Restrictions on Housing Types.

Private restrictions on the provision of accessory dwelling units, corner duplexes, or internal conversions executed after July 1, 2019 shall be prohibited. Conditions, Covenants, and Restrictions (CC&Rs) or similar legal instrument submitted with residential plats submitted for final plat approval after July 1, 2019 shall not prohibit or impose additional restrictions on accessory dwelling units, corner duplexes, and/or internal conversions to the extent permitted in the OCMC in place at the time of final plat submittal, and shall not impose additional restrictions on Accessory Dwelling Units and internal conversions through any future amendment.

Finding: Not applicable for the General Development Plan. Future detailed development plan applications will be required to show compliance with this standard.

CHAPTER 16.12 – MINIMUM PUBLIC IMPROVEMENTS AND DESIGN STANDARDS FOR DEVELOPMENT

Staff Note: This application is for a General Development Plan and as such review of compliance to specific details of OCMC 16.12 may not be appropriate at this time. Public utilities and street layouts indicated with this application are intended to demonstrate the feasibility of the proposed GDP to meet the City's municipal code and the goals of the Park Place Concept Plan. Additional conditions of approval will follow specific to OCMC 16.12 with the Development's DDP for each phase.

16.12.010 - Purpose and general provisions.

The purpose of this chapter is to identify the standards for development in and adjacent to spaces which benefit the public including right-of-way, access to the right-of-way, public off-street pedestrian and bicycle accessways, and easements. All development shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the City's public facility master plans and City design standards and specifications. In reviewing applications for development, the City Engineer shall take into consideration any approved development and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated with any development shall be reviewed and approved by the City Engineer prior to construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way shall be reviewed by the appropriate jurisdiction as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.

Finding: Complies with Condition. The development authorized pursuant to this GDP approval shall comply with all Oregon City Public Works design standards, specifications, codes, and policies prior to receiving a permit and beginning construction. *For each Detailed Development Plan application, the applicant may choose to utilize the July 20, 2021 Oregon City Municipal Development Code as adopted at the time of the Master Plan submittal or the Development Code that is applicable at the time a Detailed Development Plan (DDP) is applied for.* **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

16.12.011 - Applicability.

A. Compliance with this chapter is required for all development including land divisions, site plan and design review, master plan, detailed development plan and conditional use applications and all public improvements that are required in conjunction with a land use decision.

B. Compliance with this chapter is also required for new construction or additions which exceed fifty percent of the existing square footage of all 3-4 plexes, single and two-family dwellings living space. Garages, carports, sheds, and porches may not be included in the calculation if these spaces are not living spaces. Accessory dwelling units are not subject to compliance with this chapter. All applicable 3-4 plexes, single and two -family dwellings shall provide any necessary dedications, easements or agreements as identified in the transportation system plan and this chapter, subject to constitutional limitations. In addition, the street frontage shall be improved to include the following priorities for improvements:

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

2. Plant street trees.

The cost of compliance with the standards identified in 16.12.011.B.1 and 16.12.011.B.2 is calculated based on the square footage valuation from the State of Oregon Building Codes Division and limited to ten percent of the total construction costs. The value of the alterations and improvements is based on the total construction costs for a complete project rather than costs of various project component parts subject to individual building permits. The entire proposed construction project cost includes engineering and consulting fees and construction costs. It does not include permit fees, recording fees, or any work associated with drafting or recording dedications or easements.

C. Exemptions. The following are exempt from review by this chapter unless public improvements, driveways, PUEs, or other items regulated by this chapter are proposed.

1. Minor Site Plan and Design Review applications

2. Work within the right-of-way

3. Lot Line Adjustments and Abandonments

4. Public capital improvement projects

Finding: Applicable. The application is a master plan; therefore, the development shall follow the standards set forth in OCMC 16.12.

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

The City has jurisdiction and exercises regulatory management over all public rights-of-way as defined and outlined within 12.04 of the Oregon City Municipal Code.

Finding: Applicable. The city has exercised its regulatory management authority by providing findings within this staff report with conditions to be met by the applicant prior to working within all public rights-of-way.

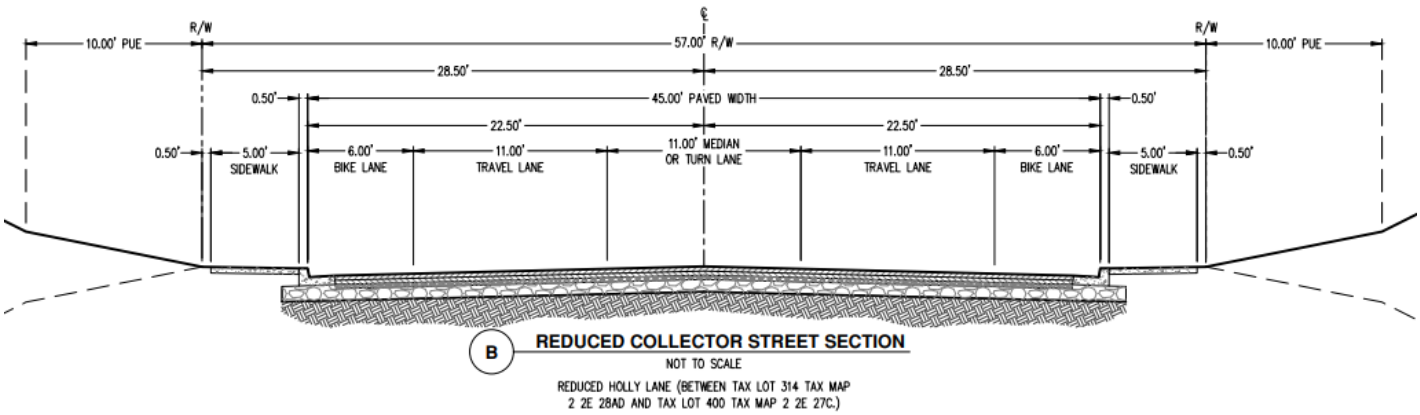
16.12.013 - Modifications.

The applicant may request and the review body may consider modification of the standards in this chapter resulting from constitutional limitations restricting the City's ability to require the dedication of property or for any other reason, based upon the criteria listed below and other criteria identified in the standard to be modified. All modifications, except for adjustments approved by the City Engineer for tree preservation purposes pursuant to 16.12.013.A, shall be processed through a Type II Land Use application and may require additional evidence from a transportation engineer or others to verify compliance. Compliance with the following criteria is required:

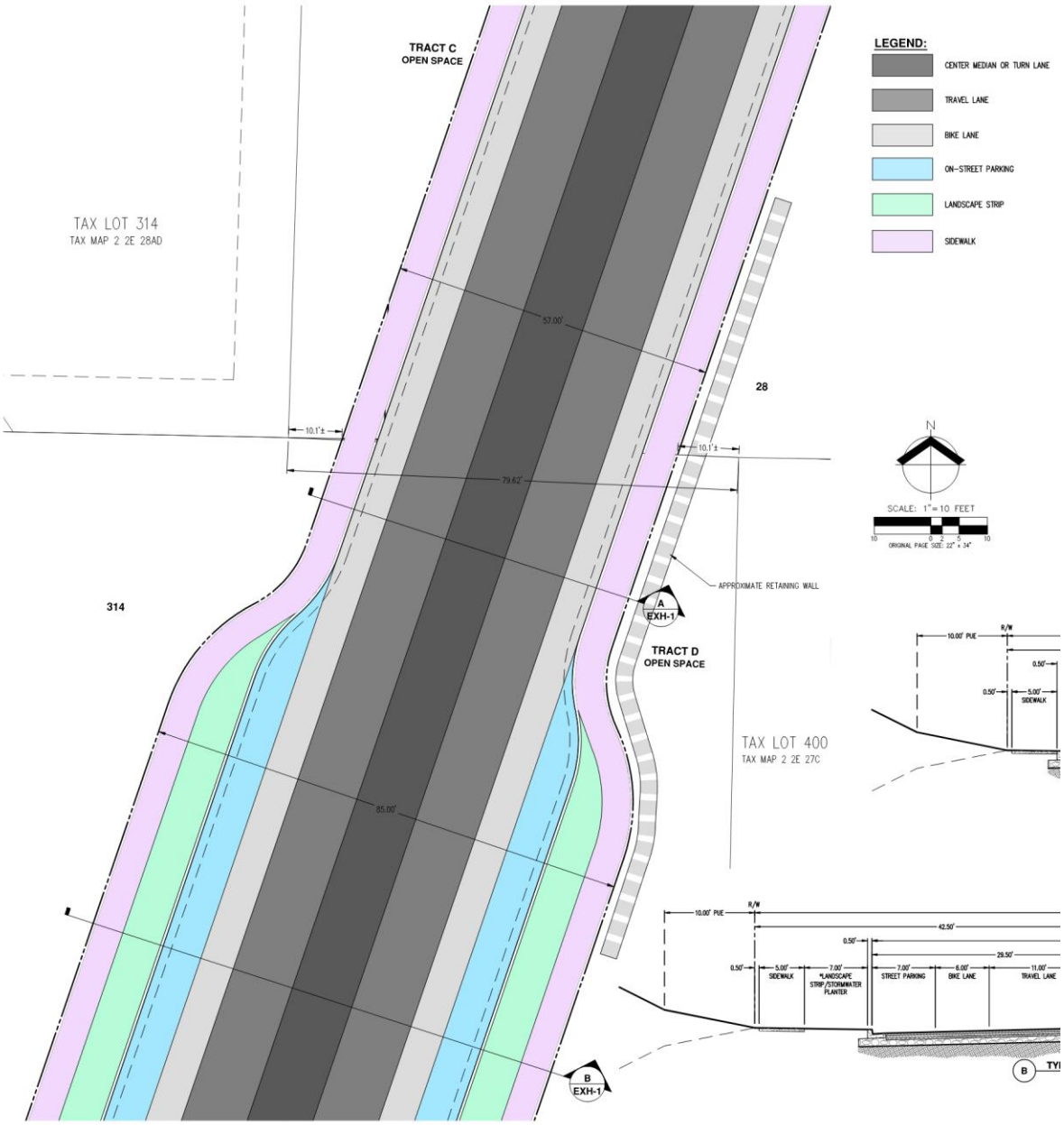
A. Compliance with the following criteria is required:

1. The modification meets the intent of the standard;

Finding: Complies as proposed. The Applicant proposes to construct a reduced cross section for the Holly Lane extension from the standard 85 ft. width in order to fit between tax lots 2-2E-28D-00190 and 2-2E-27BC-01000 which is approximately 80 ft. wide. The proposed reduced 57 ft. cross section of Holly Lane is shown below:



The applicant also provided a bird's eye layout of the proposed street section.



The street alignment is preliminary in nature and the reduced cross section and alignment will be further reviewed with the Phase 1 DDP, but on preliminary review it meets the intent of the code by allowing safe vehicular, bicycle, and pedestrian travel through the constrained area between the lots. Additional landscaping, sound mitigation and retaining wall design will be required to buffer the road section from adjacent lots. The proposed cross section for the constrained area meets the City's travel lane dimensions, bike lane dimensions and cross walk dimensions for a collector as noted in OCMC 16.12.016 below.

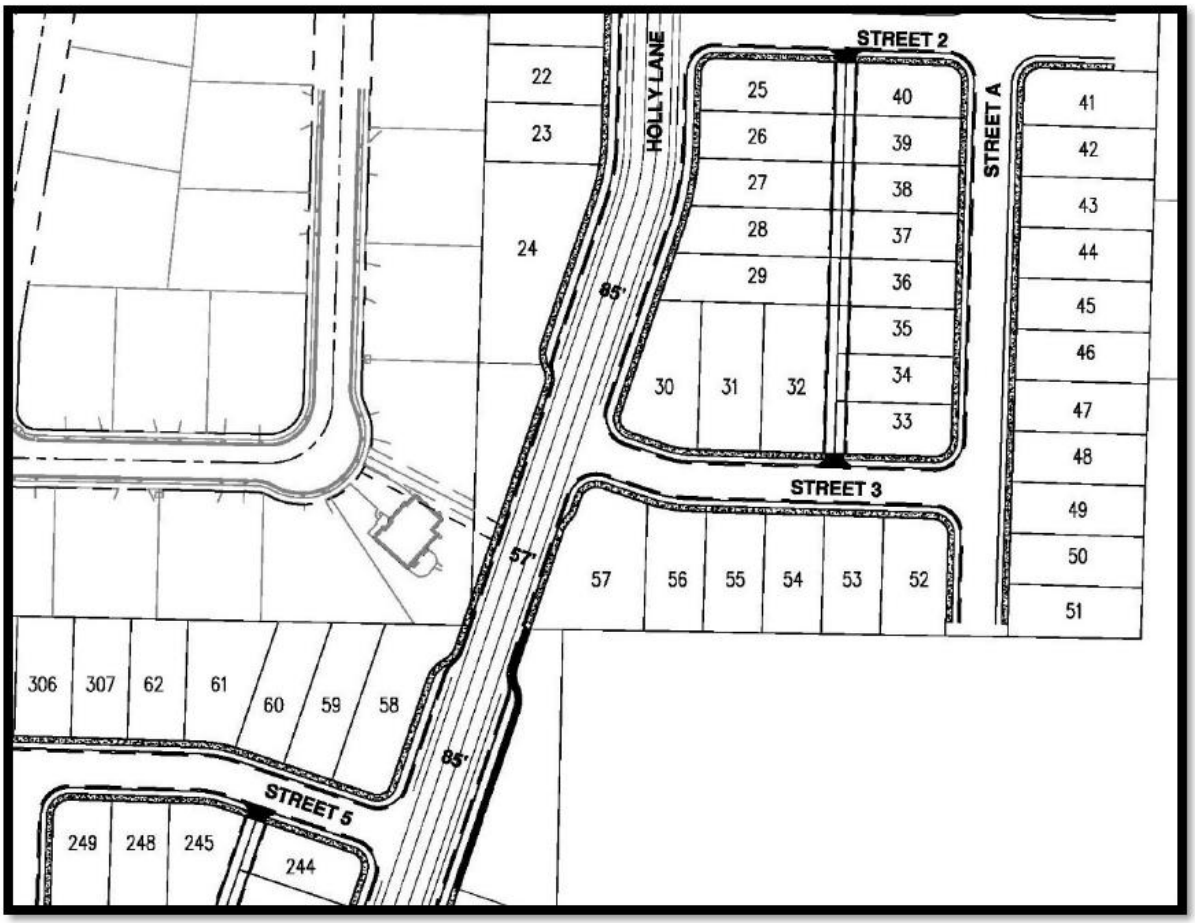


Figure 9: Reduced S Holly Lane Cross-Section

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

Finding: Complies as proposed. The Applicant proposes to construct a reduced cross section for the Holly Lane extension from the standard 85 ft. width in order to fit between tax lots 2-2E-28D-00190 and 2-2E-27BC-01000. This reduced cross section and alignment will be further reviewed with the Phase 1 DDP but on preliminary review it meets the intent of the code to meet safe and efficient movement through the site. The proposed cross section provides the same travel lane width for vehicles and bicycles as well as sidewalks for pedestrians. The constrained cross section has removed street parking and landscape strips within this area in order to fit between the two lots and still provide the needed dimensions for vehicles, bicyclists and pedestrians for a collector as noted in 16.12.016 below. Removal of on-street parking will have no effect on the safe and efficient movement of the travelling public.

3. *The modification is consistent with an adopted transportation or utility plan; and*

Finding: Complies as proposed. The modification meets the intent of the Park Place Concept Plan and TSP which has identified the constrained location of the site as the alignment for Holly Lane as it extends to Holcomb Boulevard.

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

Finding: Complies as proposed. With the exception of the portion of Holly Lane proposed as a constrained cross-section, it appears that the remaining streets within this development can meet the requirement of complementary street design with neighboring properties. The proposed street layout and design are expected to be further refined with each DDP. Complementary street designs will be further reviewed with each DDP.

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

Finding: Not Applicable. No constitutional provision is proposed.

B. The following modifications shall be processed as a Type I modification by the City Engineer using the criteria in 16.12.13.A.

1. Modifications to driveway location, size, and sharing standards in 16.12.035

2. Modifications to sidewalk and planter strips widths and location in 16.12.016 that preserve existing street trees or trees on private property to ensure compliance with ADA standards.

Finding: Not Applicable. These modifications are not proposed with this application but may be applicable if proposed during a future DDP.

16.12.014 - Administrative provisions.

An applicant shall submit the following items to the City and complete the following tasks prior to proceeding with construction of proposed development plans. These items include the following:

A. Pre-Design Meeting;
B. Final Engineering Plans, Stamped and Signed by an Oregon Licensed Professional Engineer;
C. Stormwater Report, Stamped and Signed by an Oregon Licensed Professional Engineer;
D. Geotechnical Report, Stamped and Signed by an Oregon Licensed Professional Engineer (if applicable);
E. Engineer's Preliminary and Final Cost Estimates (also may be known as engineer's opinion of probable construction cost);
F. Plan Check and Inspection Fees (as set by City resolution);
G. Certificate of Liability Insurance for City funded public projects contracted by the City (not less than one million dollars single incident and two million dollars aggregate);
H. Preconstruction Meeting;
I. Financial Guarantee(s) per OCMC 17.50.140;
J. Applicable Approvals/Permits from other agencies or entities;
K. Developer/Engineer Agreement for public works improvements.

An applicant shall submit the following additional items to the City and complete the following tasks prior to completing construction of proposed development plans. These items include the following:

L. Project Engineer's Certificate of Completion;
M. Stormwater Operation and Maintenance Easement (if applicable);
N. Deed of Dedication (Bargain and Sale Deed);
O. Recorded Plat and/or Easements (if applicable);
P. Recorded Non-Remonstrance Covenant Agreement;
Q. Land Division Compliance Agreement (if applicable);
R. Permanent Stabilization and/or Restoration of the impact from the development;
S. Fulfillment of all Conditions of Approval;
T. Payment of all Outstanding Fees;
U. Maintenance Guarantee(s). per OCMC 17.50.141;
V. Indemnity Agreement (if applicable);
W. Completed Punchlist;
X. As-Built Drawings;

Details on individual items required by this subsection can be obtained by contacting Public Works. Many items, such as the engineer's cost estimate and plan check and inspection fee, maybe be submitted in conjunction with documentation for other infrastructure improvements that are done with the development (such as street, sanitary sewer, and water).
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible.

16.12.015 - Street design—Generally.
Development shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable. Development shall provide any necessary dedications, easements or agreements as identified in the Transportation System Plan, Trails Master Plan, and/or Parks and Recreation Master Plan and this chapter, subject to constitutional limitations. The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, overlay districts, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. The arrangement of streets shall either:
A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;
B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the City Engineer. Notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. Access control in accordance with OCMC 16.12.017 shall be required to preserve the objectives of street extensions.
C. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the City's Transportation System Plan. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation.
Finding: Complies with Condition. The provided general development plan (GDP) identifies the location, widths, and grades of the proposed street system providing for the continuation or appropriate projection of existing principal streets in the surrounding area and gives access for future development of adjoining land. The development has provided a convenient street system for the safety of all modes of travel, including pedestrian and bicycle to, from, and through the subject site. It is understood that the proposed street layout is preliminary. The City notes the following:

- Mr. Replinger noted that left turn lanes would be needed at the intersection of the future Holly Lane and Holcomb Boulevard. While that intersection is not a part of this GDP, the portion of Holly Lane proposed in Phase 1 should be further reviewed to determine if the appropriate amount of Right of Way is provided for a future left turn lane on Holcomb.
- Portions of the proposed street alignments impact mapped geological hazard areas (steep slopes) on the property and will need further review at the DDP level.
- Some of the street layout does not provide a cleanly gridded street system and proposes offset intersections which are not in the best interest of the transportation system.

Street layouts shall be reviewed with each phase of development during DDP submittal and shall follow the standards of 16.12 and 17.44 to avoid geologic hazard areas, creating a grid system, provide future connection points to neighboring properties, and providing a street layout acceptable to the City Engineer.**Staff has**

determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

16.12.016 - Street design.
All development regulated by this chapter shall provide street improvements in compliance with the standards in Table 16.12.016 depending on the street classification set forth in the Transportation System Plan and the Comprehensive Plan designation of the adjacent property, unless an alternative plan has been adopted. The table implements the adopted Transportation System Plan and illustrates the maximum design standards. These standards may be reduced with an alternative street design which may be approved based on the modification criteria in OCMC 16.12.013. The steps for reducing the street design are found in the Transportation System Plan.

Table 16.12.016 Street Design
Table 16.12.016 Street Design. To read the table select the road classification as identified in the Transportation System Plan and the Comprehensive Plan designation of the adjacent properties to find the maximum design standards for the road cross section. If the Comprehensive Plan designation for lands on either side of the street differs, the wider right-of-way standard shall apply.

Road Classification	Comprehensive Plan Designation	Right-of-Way Width	Pavement Width	Public Access	Sidewalk	Landscape Strip	Bike Lane	Street Parking	Travel Lanes	Median
Major Arterial	Mixed Use, Commercial or Public/Quasi Public	116 ft.	94 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells		6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.
	Industrial	120 ft.	88 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	N/A	(5) 14 ft. Lanes	6 ft.
	Residential	126 ft.	94 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.

Road Classification	Comprehensive Plan Designation	Right-of-Way Width	Pavement Width	Public Access	Sidewalk	Landscape Strip	Bike Lane	Street Parking	Travel Lanes	Median
Minor Arterial	Mixed Use, Commercial or Public/Quasi Public	116 ft.	94 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells		6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.
	Industrial	118 ft.	86 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	7 ft.	(5) 12 ft. Lanes	N/A
	Residential	100 ft.	68 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	7 ft.	(3) 12 ft. Lanes	6 ft.

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

Collector	*Mixed Use, Commercial or Public/Quasi Public*	*86 ft.*	*64 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*6 ft.*	*8 ft.*	*(3) 12 ft. Lanes*	*N/A*
	Industrial	*88 ft.*	*62 ft.*	*0.5 ft.*	*5 ft.*	*7.5 ft.*	*6 ft.*	*7 ft.*	*(3) 12 ft. Lanes*	*N/A*
	Residential	*85 ft.*	*59 ft.*	*0.5 ft.*	*5 ft.*	*7.5 ft.*	*6 ft.*	*7 ft.*	*(3) 11 ft. Lanes*	*N/A*

Road Classification	*Comprehensive Plan Designation*	*Right-of-Way Width*	*Pavement Width*	*Public Access*	*Sidewalk*	*Landscape Strip*	*Bike Lane*	*Street Parking*	*Travel Lanes*	*Median*
Local	*Mixed Use, Commercial or Public/Quasi Public*	*62 ft.*	*40 ft.*	*0.5 ft.*	*10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells*		*N/A*	*8 ft.*	*(2) 12 ft. Lanes*	*N/A*
	Industrial	*60 ft.*	*38 ft.*	*0.5 ft.*	*5 ft.*	*5.5 ft.*	*(2) 19 ft. Shared Space*			*N/A*
	Residential	*54 ft.*	*32 ft.*	*0.5 ft.*	*5 ft.*	*5.5 ft.*	*(2) 16 ft. Shared Space*			*N/A*

1. Pavement width includes, bike lane, street parking, travel lanes and median.
2. Public access, sidewalks, landscape strips, bike lanes and on-street parking are required on both sides of the street in all designations. The right-of-way width and pavement widths identified above include the total street section.
3. A 0.5 foot curb is included in landscape strip or sidewalk width.
4. Travel lanes may be through lanes or turn lanes.
5. The 0.5 foot public access provides access to adjacent public improvements.
6. Alleys shall have a minimum right-of-way width of twenty feet and a minimum pavement width of sixteen feet. If alleys are provided, garage access shall be provided from the alley.
7. A raised concrete median or landscape median shall be utilized for roads identified to have access restrictions.
8. A public utility easement (PUE) shall be provided on both sides of the right-of-way or public access easement on private property as identified in 16.12.85.

Finding: Complies with Condition. The submitted plan in general addressed the requirements of OCMC 16.12.016. A portion of Holly Lane includes a narrower cross section than the typical Collector Road. The proposed modification meets the intent of the City's standard as described in OCMC 16.12.013 discussed above. Further review of the proposed street system will be part of each phase's DDP. All public improvements along Holcomb Boulevard shall be a constructed in Phase 1 and reviewed as part of that DDP. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

A. Sidewalks. The applicant shall provide for sidewalks on both sides of all public streets, on any private street if so required by the decision-maker, and in any special pedestrian way within the development. Both sidewalks and curbs are to be constructed to City standards and at widths set forth above, and according to plans and specifications provided by the City Engineer. Exceptions to this requirement may be allowed in order to accommodate topography, trees or some similar site constraint. In the case of major or minor arterials, the decision-maker may approve a development without sidewalks where sidewalks are found to be dangerous or otherwise impractical to construct or are not reasonably related to the applicant's development. The decision-maker may require the applicant to provide sidewalks concurrent with the issuance of the initial building permit within the area that is the subject of the development application. Applicants for partitions may be allowed to meet this requirement by providing the City with a financial guarantee per OCMC 16.12.110.

Finding: Complies as proposed. The applicant has proposed sidewalks along all public streets fronting the development.

B. Pedestrian and Bicycle Accessways Routes. If deemed appropriate to extend pedestrian and bicycle routes, existing or planned, the decision-maker may require the installation of separate pedestrian and bicycle facilities.
Finding: Complies as proposed. The applicant has proposed pedestrian and bicycle paths to shorten block lengths and provide more access between the neighborhood's proposed street system.

C. Street Name Signs and Traffic Control Devices. The applicant shall install street signs and traffic control devices as directed by the City Engineer. Street name signs and traffic control devices shall be in conformance with all applicable City regulations and standards.
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible.

D. Street Lights. The applicant shall install street lights which shall be served from an underground source of supply. Street lights shall be in conformance with all City regulations.
Finding: Applicable These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

E. Any new street proposed with a pavement width of less than thirty-two feet shall be processed through OCMC 16.12.013 and meet minimum life safety requirements, which may include fire suppression devices as determined by the Fire Marshall to assure an adequate level of fire and life safety. The modified street shall have no less than a twenty-foot wide unobstructed travel lane.
Finding: Complies with Condition. No new street with pavement less than thirty-two fee is proposed with this development. However, because the street layout is preliminary and may be refined with each DDP to avoid geological hazard areas and to create a more gridded street system. The City and Clackamas Fire District No. 1 shall review each DDP proposal to ensure that life safety requirements, including street width, slope and grading requirements for the proposed streets are met. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

F. All development shall include vegetated planter strips that are five feet in width or larger and located between the sidewalk and curb unless otherwise approved pursuant to this chapter. All development shall utilize the vegetated planter strip for the placement of street trees or place street trees in other acceptable locations, as prescribed by OCMC 12.08. Development proposed along a collector, minor arterial, or major arterial roads may place street trees within tree wells within a wider sidewalk in lieu of a planter strip. In addition to street trees per OCMC 12.08, vegetated planter strips shall include ground cover and/or shrubs spaced four feet apart and appropriate for the location. No invasive or nuisance plant species shall be permitted.
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

G. Vehicle and pedestrian access easements may serve in lieu of streets when approved by the decision maker and only where dedication of a street is deemed impracticable.
Finding: Complies with Condition. A private access easement is proposed with Phase 6 of this development. The Applicant notes that a public street is impractical due to required grade and available widths to serve the lots. However, as noted by the developer, the information provided in this application is preliminary in nature and shall be further reviewed with each phase's DDP. A public street may be required to provide future access to neighboring sites. The street design and ownership for Phase 6 shall be further reviewed with its DDP and whether a public street located would be feasible. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

H. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.
Finding: Applicable. See 16.12.016 above.

16.12.017 - Street design—Access control.
A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the City as a City controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property.
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

B. The City may grant a permit for the adjoining owner to access through the access control.
Finding: Applicable. The information provided in this GDP is preliminary and in nature and will be further refined as part of each phase's DDP.

C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."
Finding: Complies as proposed. *The applicant proposes to address this requirement with each detailed design plans for each phase.*

16.12.018 - Street design—Alignment.
The centerline of streets shall be:
A. Aligned with existing streets by continuation of the centerlines; or
B. Offset from the centerline by no more than five feet, provided appropriate mitigation, in the judgment of the City Engineer, is provided to ensure that the offset intersection will not pose a safety hazard.
C. Driveways that are at least twenty-four feet wide shall align with existing or planned streets on adjacent sites.
Finding: Complies with Condition. The Park Place Concept Plan envisions the main access to the Concept Plan area from Holcomb Blvd will be through a connection of Holly Lane. The applicant shows a future Holly Lane connection to line up with Barlow Drive on the north side of Holcomb Blvd. The property where the future connection is proposed (Taxlot 2-2E-27BC-01600) is not one of the 14 properties included in the General Development Plan. In the interim, the applicant has proposed the access from Holcomb Blvd to be through a new local street "A."

The development's interim access (Street A) does not meet this standard due to its distance from Jada Way – Street A does not align with any streets on the opposite side of Holcomb Blvd. Mr. Replinger discusses this in his review letter, describing:

> "Following the annexation and rezoning action approved in 2018, the city and the applicant entered into discussions about the appropriate connection of Holly Lane with Holcomb Boulevard. A safety and operation review for Holly Lane connection along Holcomb Boulevard was undertaken to assess two potential locations for the connection were considered: opposite of S

Barlow Drive and opposite of S Jada Way. This analysis is detailed in a technical memorandum from Lancaster Mobley, dated July 24, 2020. Based on the analysis findings and correspondence with Oregon City staff, the location of S Holly Lane opposite of Barlow Drive was determined as the preferred location by City staff. That concept has been carried forward in the current application."

Both the applicant's traffic study and Mr. Replinger s review conclude that the sight distance at Street A is acceptable. The Applicant proposes to align Holly Lane with the existing Barlow Drive when the properties become available, and to then close off Street A from Holcomb Boulevard. The City finds this approach to be acceptable.

Some of the preliminary street alignments within the development do not meet the City's requirements and are offset greater than 5 feet. For example, In Phase 2 the Shartner Drive extension should align with Steet E or with Street C. Each DDP shall further refine the layout of the proposed streets within the development so that they are aligned more consistently in a grid pattern per the City's Park Place Concept Plan and to facilitate alignment standards in OCMC 16.12.018. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

16.12.019 - Traffic sight obstructions.
All new streets shall comply with the Traffic Sight Obstructions in Chapter 10.32.
Finding: Complies as Proposed. Applicant acknowledges streets will be designed per this standard.

16.12.020 - Street design—Intersection angles.
Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the City Engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point.
Finding: Complies as Proposed. The proposed intersections appear to meet the City requirements by avoiding acute angles less than 80 degrees. The layout proposed is preliminary and will need to be further reviewed with each phase's DDP.

16.12.021 - Street design—Grades and curves.
Grades and center line radii shall conform to standards approved by the City Engineer.
Finding: Complies as Proposed. Applicant acknowledges streets will be designed per this standard. This standard will be further reviewed with each phase's DDP.

16.12.022 - Street design—Development abutting arterial or collector street.
Where development abuts or contains an existing or proposed arterial or collector street, the decision maker may require: access control; screen planting or wall contained in an easement or otherwise protected by a restrictive covenant in a form acceptable to the decision maker along the rear or side property line; or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic. Reverse frontage lots with suitable depth may also be considered an option for residential property that has arterial frontage. Where access for development abuts and connects for vehicular access to another jurisdiction's facility then authorization by that jurisdiction may be required.
Finding: Complies with Conditions. The proposed lots abutting arterial and collector streets are planned to provide limited access to said streets. Access to these lots is noted to be primarily provided by rear alleys or

adjacent streets of lesser classification. Final driveway locations will be determined and reviewed with each DDP with access off Holly Lane to be avoided as much as possible. No new driveways will be allowed on Holcomb Boulevard as part of this development. The proposed location of Holly Lane will run very close to the rear of existing homes in the Trailview subdivision, and proposed lots fronting on the new section of Holly Lane. Concerns have been voiced by abutting neighbors concerned with the anticipated grade difference between the existing residential subdivision and the proposed future subdivision. This is illustrated on the diagram of the existing lot grading as-built engineering drawings for Trailview Subdivision below, which shows the variation in elevation as it drops from north to south.

HOLCOMB BLVD.
WINSTON DRIVE
TRACT B
PARTITION APPLICATION
SMITHFIELD DRIVE
BUFFALO WAY
SOUTH MEADOW DRIVE
MAILVIEW DRIVE
WAGON WHEEL DRIVE
TRACT A
397'
415'
447'
460'
Approx. 18' lower
Approx. 13' higher
level

Given the preference for a future road alignment of Holly Lane as shown below as Alternate Alignment 1 (on the left), much of this concern can likely be mitigated by locating residential lots with rear yards abutting existing development. However, the potential remains for noise, visual or traffic impacts for the more northern lots due to proximity to Holly Lane and the need to orient the new road directly across from Barlow Drive for safety reasons and compliance with engineering standards.

Therefore, at the time of DDP submittal for phase 1 the applicant shall propose landscape screening, retaining wall design, and sound buffering and / or sound walls to adequately protect residential properties from the noise and view of Holly Lane. Such measures may also include larger setbacks or reverse frontage lots and building designs. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

16.12.023 - Street design—Pedestrian and bicycle safety.
Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.
The City Engineer may require that crosswalks include a large vegetated or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The City Engineer may approve an alternative design that achieves the same standard for constrained sites.
Finding: Complies as Proposed. The developer acknowledges this standard and the General Development Plan discourages cut through traffic and it provides facilities for pedestrian and bicycle use. Further review of these

designs will be a part of each phase's DDP and may include the use of bumpouts or other traffic calming measure where practical.

16.12.024 - Street design—Half street.
Half streets, while generally not acceptable, may be approved where essential to the development, when in conformance with all other applicable requirements, and where it will not create a safety hazard. When approving half streets, the decision maker shall first determine that it will be practical to require the dedication of the other half of the street when the adjoining property is divided or developed. Where the decision maker approves a half street, the applicant shall construct a half street with at least twenty feet of pavement width and provide signage prohibiting street parking so as to make the half street safe until such time as the other half is constructed. Whenever a half street is adjacent to property capable of being divided or developed, the other half of the street shall be provided and improved when that adjacent property divides or develops. Access control may be required to preserve the objectives of half streets.
When the remainder of an existing half-street improvement is completed it shall include the following items: dedication of required right-of-way, construction of the remaining portion of the street including pavement, curb and gutter, landscape strip, sidewalk, street trees, lighting and other improvements as required for that particular street. It shall also include at a minimum the pavement replacement to the centerline of the street. Any damage to the existing street shall be repaired in accordance with the City's "Pavement Cut Standards" or as approved by the City Engineer.
Finding: Complies as Proposed. Half street improvements are not planned as part of the general development plan. However, streets in Tract K and L for the retail/MUC/NC/Civic/Village Green Areas may have half streets at a later date outside of this application.

16.12.025 - Street design—Cul-de-sacs and dead-end streets.
The City discourages the use of cul-de-sacs and permanent dead-end streets except where construction of a through street is found by the decision maker to be impracticable due to topography or some significant physical constraint such as geologic hazards, wetland, natural or historic resource areas, pre-existing dedicated open space, pre-existing development patterns, arterial access restrictions or similar situation as determined by the decision maker. This section is not intended to preclude the use of curvilinear eyebrow widening of a street where needed.
A. When permitted, access from new cul-de-sacs and permanent dead-end streets shall be limited to a maximum of twenty-five dwelling units.
Finding: Complies as proposed. No cul-de-sacs are proposed or with this development. Dead end streets shown in this application are intended to be future connections to neighboring properties. This standard will be further reviewed with each DDP as configurations change.

B. Cul-de-sacs and permanent dead-end streets shall include pedestrian/bicycle accessways to meet minimum block width standards as prescribed in OCMC 16.12.030.
Finding: Complies as proposed. No cul-de-sacs or permanent dead-end streets are proposed or required for this development. Additional review will be a part of each DDP.

C. Cul-de-sacs shall have sufficient radius to provide adequate turn-around for emergency vehicles in accordance with fire district and City adopted street standards.
Finding: Complies with Condition. No cul-de-sacs or permanent dead-end streets are proposed or required for this development. However, streets identified for future extension to neighboring properties may not be built out for several years and behave as a dead end. Each DDP shall provide sufficient emergency vehicle turnarounds at the interim "dead ends" (e.g. Street B, Street C, Street A and Street 1).

D. Permanent dead-end streets shall provide public street right-of-way/easements sufficient to provide a sufficient amount of turn-around space complete with appropriate no-parking signs or markings to accommodate waste disposal, sweepers, emergency and other long vehicles in the form of a hammerhead or other design to be approved by the decision maker.
Finding: Complies as Conditioned. No permanent dead end is proposed for this site. However, connections are proposed for future streets on adjacent sites. Some of these sites are outside of the City Limits and may not be

annexed or developed for several years. Street B in Phase 2 is shown to connect to the neighboring property to the South and the Street within Phase 6 connects to the property to the east. Each DDP shall provide turnaround space standards for the future street connections to the neighboring sites that will be behaving as dead ends until future development extends the connections. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

E. In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. A dead-end street shall include signage or barricade meeting Manual on Uniform Traffic Control Devices (MUTCD).

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

16.12.026 - Street design—Alleys.

Alleys with public access easements on private property shall be provided in the Park Place and South End concept plan areas for the following districts R-5, R-3.5, R-2, MUC-1, MUC-2 and NC zones unless other permanent provisions for private access to off-street parking and loading facilities are approved by the decision maker. All alleys intended to provide access for emergency vehicles shall be a minimum width of twenty feet. The corners of alley intersections shall have a radius of not less than ten feet and shall conform to standards approved by the City Engineer. Access easements and maintenance agreements shall be recorded on affected properties.

Finding: Complies as Proposed. Alleys proposed for this site are a minimum of 20 feet and radius not less than 10 feet. Alley dimensions and designs will be further reviewed with each phase's DDP.

16.12.027 - Street design—Off-site street improvements.

During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the applicable design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.

Finding: Complies with Conditions. Proportional shares will be required and reviewed as part of the future Detailed Development Plan Applications. See 16.12.23. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

16.12.028 - Street design—Transit.

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

Finding: Complies with Condition. The General Development Plan has streets designed to encourage pedestrian and bicycle circulation around the development. Accessways have also been provided to shorten the travel distance for pedestrians between streets and to shorten the neighborhood block length. The City's Park Place Concept plan has identified Holly Lane as a transit street for the local area. If it is determined through individual DDP review that additional transit improvements are needed, the Applicant of the DDP shall provide accommodations for transit facilities within each phase proposed. This may include additional bicycle and pedestrian access, bus or shuttle pullouts, etc. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

16.12.029 - Excavations—Restoration of pavement.

Whenever any excavation shall have been made in any pavement or other street improvement on any street or alley in the City for any purpose whatsoever under the permit granted by the engineer, it shall be the duty of the person making the excavation to restore the pavement in accordance with the City of Oregon City Public Works Pavement Cut Standards in effect at the time the permit is granted. The City Commission may adopt and modify the City of Oregon City Public Works Pavement Cut Standards by resolution as necessary to implement the requirements of this chapter.

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

16.12.030 - Blocks—Width.

The width of blocks shall ordinarily be sufficient to allow for two tiers of lots with depths consistent with the type of land use proposed. The length, width and shape of blocks shall take into account the need for adequate building site size, convenient motor vehicle, pedestrian, bicycle and transit access, control of traffic circulation, and limitations imposed by topography and other natural features.

All new streets shall be designed as local streets unless otherwise designated as arterials and collectors in the current adopted Transportation System Plan. The maximum block spacing between streets is 530 feet and the minimum block spacing between streets is 150 feet as measured between the right-of-way centerlines except in zones GI, CI, MUE, I, and WFDD where determining the appropriate street spacing will be determined by the City Engineer. If the maximum block size is exceeded, pedestrian accessways shall be provided every 330 feet. The spacing standards within this section do not apply to alleys.

Finding: Complies with Condition. The general development plan has provided a preliminary street layout for the Park Place Crossing identifying blocks defined by cross streets and accessways. The plan provided with this application is preliminary in nature. ~~with block~~ Block lengths, final street locations, internal street connections (see 16.12.018), and available buildable lots ~~are to~~shall be further reviewed as more detailed information is provided with each phase's DDP. ~~When final street locations are proposed with each DDP, block length standards shall be met per OCMC 16.12.030~~. Where block lengths exceed 530 feet, each DDP shall provide updated plans with pedestrian accessway locations spaced at intervals not exceeding 330 feet from the nearest street intersection.

~~Add finding for ped accessway behind storm pond or between storm pond and the open space.~~

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval

16.12.031 - Street design—Street names.

Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names shall conform to the established standards in the City and shall be subject to the approval of the City.

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

16.12.032 – Public off-street pedestrian and bicycle accessways.

Pedestrian/bicycle accessways are intended to provide direct, safe and convenient connections between residential areas, retail and office areas, institutional facilities, industrial parks, transit streets, neighborhood activity centers, rights-of-way, and pedestrian/bicycle accessways which minimize out-of-direction travel, and transit-orientated developments where public street connections for automobiles, bicycles and pedestrians are unavailable. Pedestrian/bicycle accessways are appropriate in areas where public street options are unavailable, impractical or inappropriate. Pedestrian and bicycle accessways are required through private property or as right-of-way connecting development to the right-of-way at intervals not exceeding 330 feet of frontage; or where the lack of street continuity creates inconvenient or out of direction travel patterns for local pedestrian or bicycle trips.

Finding: Complies with Conditions. The layout identified within the General Development Plan shows pedestrian and bicycle accessways which are located at intervals exceeding 330 feet of frontage. This layout has been noted to be preliminary in nature. Final street locations, internal street connections, and available buildable lots are to be further refined and reviewed during each phase's DDP. Each DDP shall provide updated plans with ~~off street and~~ pedestrian/bicycle accessway locations not exceeding 330 feet of frontage for each phase. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval**

A. Entry points shall align with pedestrian crossing points along adjacent streets and with adjacent street intersections.
Finding: Complies with Condition. The layout of the proposed development shows the general locations of where accessways may occur. With the street layouts and number of buildable lots subject to change, the locations of the pedestrian crossing points will be further reviewed with each DDP.

B. Accessways shall be free of horizontal obstructions and have a nine foot six inch high vertical clearance to accommodate bicyclists. To safely accommodate both pedestrians and bicycles, accessway right-of-way widths shall be as follows:
1. Accessways shall have a fifteen- foot wide right-of-way with a seven-foot wide paved surface with a minimum four-foot planter strip on either side.
2. If an accessway also provides secondary fire access, the right-of-way width shall be at least twenty- four feet wide with a - sixteen foot paved surface between four-foot planter strips on either side.
Finding: Complies as Proposed. The layout of the proposed development shows accessways free of horizontal obstructions with geometry meeting the applicable code.

C. Accessways shall be direct with at least one end point of the accessway always visible from any point along the accessway. On-street parking shall be prohibited within fifteen feet of the intersection of the accessway with public streets to preserve safe sight distance and promote safety.
Finding: Complies as Proposed. The layout of the proposed development shows accessways with proper visibility this will be further reviewed during the DDP for sight line distances.

D. To enhance pedestrian and bicycle safety, accessways shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of one-half-foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances.
Finding: Complies as Proposed. The layout of the proposed development is preliminary in nature and conceptually meets the requirements above. Further design review of the accessways will occur as part of each DDP.

E. Accessways shall comply with Americans with Disabilities Act (ADA).
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

F. The planter strips on either side of the accessway shall be landscaped along adjacent property by installation of the following:
1. Either an evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average; and
2. Ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
3. A two-inch minimum caliper tree for every thirty-five -feet along the accessway. Trees may be planted on either side of the accessway, provided they are spaced no more than thirty-five feet apart; and
4. In satisfying the requirements of this section, evergreen plant materials that grow over forty-two inches in height shall be avoided. All plant materials shall be selected from the Oregon City Native Plant List.

G. Accessways shall be designed to prohibit unauthorized motorized traffic. Curbs and removable, lockable bollards are suggested mechanisms to achieve this.
H. Accessway surfaces shall be paved with all-weather materials as approved by the City. Pervious materials are encouraged. Accessway surfaces shall be designed to drain stormwater runoff to the side or sides of the accessway. Minimum cross slope shall be two percent.
I. In parks, greenways or other natural resource areas, accessways may be approved with a five-foot wide gravel path with wooden, brick or concrete edgings.
J. The decision maker may approve an alternative accessway design due to existing site constraints through the modification process set forth in OCMC 16.12.013.
K. Ownership, liability and maintenance of accessways. To ensure that all pedestrian/bicycle accessways will be adequately maintained over time, the City Engineer shall require one of the following:
1. Dedicate the accessways to the public as public right-of-way prior to the final approval of the development; or
2. The developer incorporates the accessway into a recorded easement or tract that specifically requires the property owner and future property owners to provide for the ownership, liability and maintenance of the accessway.

Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

16.12.033 - Mobility standards.
Development shall demonstrate compliance with intersection mobility standards. When evaluating the performance of the transportation system, the City of Oregon City requires all intersections, except for the facilities identified in subsection E below, to be maintained at or below the following mobility standards during the two-hour peak operating conditions. The first hour has the highest weekday traffic volumes and the second hour is the next highest hour before or after the first hour. Except as provided otherwise below, this may require the installation of mobility improvements as set forth in the Transportation System Plan (TSP) or as otherwise identified by the City Engineer.
A. For intersections within the regional center, the following mobility standards apply:
1. During the first hour, a maximum v/c ratio of 1.10 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
3. Intersections located on the Regional Center boundary shall be considered within the Regional Center.
B. For intersections outside of the Regional Center but designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:
1. During the first hour, a maximum v/c ratio of 0.99 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.
C. For intersections outside the boundaries of the Regional Center and not designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:
1. For signalized intersections:
a. During the first hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.
b. During the second hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.
2. For unsignalized intersections outside of the boundaries of the Regional Center:
a. For unsignalized intersections, during the peak hour, all movements serving more than twenty vehicles shall be maintained at LOS "E" or better. LOS "F" will be tolerated at movements serving no more than twenty vehicles during the peak hour.
D. For the intersection of OR 213 & Beavercreek Road, the following mobility standards apply:

1. During the first, second & third hours, a maximum v/c ratio of 1.00 shall be maintained. Calculation of the maximum v/c ratio will be based on an average annual weekday peak hour.
E. Until the City adopts new performance measures that identify alternative mobility targets, the City shall exempt proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, from compliance with the above-referenced mobility standards for the following state-owned facilities:
I-205/OR 99E Interchange
State intersections located within or on the Regional Center Boundaries
1. In the case of conceptual development approval for a master plan that impacts the above references intersections:
a. The form of mitigation will be determined at the time of the detailed development plan review for subsequent phases utilizing the Code in place at the time the detailed development plan is submitted; and
b. Only those trips approved by a detailed development plan review are vested.
2. Development which does not comply with the mobility standards for the intersections identified in OCMC 16.12.033 shall provide for the improvements identified in the Transportation System Plan (TSP) in an effort to improve intersection mobility as necessary to offset the impact caused by development. Where required by other provisions of the Code, the applicant shall provide a traffic impact study that includes an assessment of the development's impact on the intersections identified in this exemption and shall construct the intersection improvements listed in the TSP or required by the Code.
See findings in 17.65.050.C.3. The applicant submitted a Transportation Impact Analysis report completed by Lancaster Mobley Engineering. The report was reviewed by the city's Transportation Consultant, John Replinger.

16.12.035 - Driveways.
A. All new development, redevelopment, and capital improvement projects shall meet the minimum driveway spacing standards identified in Table 16.12.035.A. Minor Site Plan and Design Review do not follow these standards unless a request is made to modify the driveway.

Table 16.12.035.A Minimum Driveway Spacing Standards		
Street Functional Classification	*Minimum Driveway Spacing Standards*	*Distance*
Major Arterial Streets	*Minimum distance from a street corner to a driveway and between driveways for all uses other than detached single and two-family dwellings*	*175 ft.*
Minor Arterial Streets	*Minimum distance from a street corner to a driveway and between driveways for all uses other than detached single and two-family dwellings*	*175 ft.*
Collector Streets	*Minimum distance from a street corner to a driveway and between driveways for all uses other than detached single and two-family dwellings*	*100 ft.*
Local Streets	*Minimum distance from a street corner to a driveway and between driveways*	*25 ft.*

The distance from a street corner to a driveway is measured along the right-of-way from the edge of the intersection (on the same side of the road) right-of-way to the nearest portion of the driveway and the distance between driveways is measured at the nearest portions of the driveway at the right-of-way.
Finding: Complies with Condition. The GDP acknowledges these requirements and the designs will be further refined and reviewed as part of each phase's DDP. With Holly Lane designated as collector street, new driveways there are to be avoided as much as possible and instead driveway access should be off of local streets or alleys. Holcomb Boulevard as a minor arterial will have no new driveways. Instead access to properties shall be from rear alleys. Each phase shall identify proposed driveway locations for review of each DDP. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

B. All detached single and two family dwellings shall have driveways which meet the minimum distance standards except when the lot size is smaller than the minimum distance required. When minimum distance cannot be met due to lot size or due to the location of an overlay district, the driveway shall be located as far away from the intersection as possible as approved by the City Engineer.

Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

C. Nonresidential or multi-family residential use driveways that generate high traffic volumes as determined by a traffic analysis shall be treated as intersections and shall adhere to requirements of OCMC 16.12.020.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

D. Only one driveway is allowed per street frontage classified as a local street and in no case shall more than two driveways (one per frontage) be allowed for any single family attached or detached residential property, duplex, 3- 4 plex, or property developed with an ADU or internal conversion with multiple frontages, unless otherwise approved by the City Engineer.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and they will be further designed and reviewed as part of each DDP.

E. When a property fronts multiple roads, access shall be provided from and limited to the road with the lowest classification in the Transportation System Plan whenever possible to minimize points of access to arterials and collectors. Access shall not be provided on Arterial or Collector roads unless there is no other alternative. At the discretion of the City Engineer, properties fronting a collector or arterial road may be allowed a second driveway, for the creation of a circulation pattern that eliminates reverse maneuvers for vehicles exiting a property if applied for and granted through procedures in OCMC 16.12.013. All lots proposed with a driveway and lot orientation on a collector or minor arterial shall combine driveways into one joint access per two or more lots unless the City Engineer determines that:

1. *No driveway access may be allowed since the driveway(s) would cause a significant traffic safety hazard; or*
2. *Allowing a single driveway access per lot will not cause a significant traffic safety hazard.*

Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

F. All driveway approaches shall be limited to the dimensions identified in Table 16.12.035.D.

Table 16.12.035.D Driveway Approach Size Standards			
Property Use	*Minimum Driveway Approach Width*		*Maximum Driveway Approach Width*
Single-Family	*10 feet*		*24 feet*
Duplexes	*12 feet*		*24 feet*
3-4 Plexes	*12 feet*		*36 feet*
Multi-Family	*18 feet*		*30 feet*
Commercial, Industrial, Office, Institutional, Mixed Use, and/or Nonresidential	*One-Way 12 feet*	*Two-Way 20 feet*	*40 feet*

Driveway widths shall match the width of the driveway approach where the driveway meets sidewalk or property line but may be widened onsite (for example between the property line and the entrance to a garage). Groups of more than four parking spaces shall be so located and served by driveways so that their use will not require backing movements or other maneuvering within a street right-of-way other than an alley.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

G. The City Engineer reserves the right to require a reduction in the number and size of driveway approaches as far as practicable for any of the following purposes:
1. To provide adequate space for on-street parking;
2. To facilitate street tree planting requirements;
3. To assure pedestrian and vehicular safety by limiting vehicular access points; and

4. To assure that adequate sight distance requirements are met.
a. Where the decision maker determines any of these situations exist or may occur due to the approval of a proposed development for non-residential uses or attached or multi-family housing, a shared driveway shall be required and limited to twenty-four feet in width adjacent to the sidewalk or property line.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

H. For all driveways, the following standards apply.
1. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard surface for at least ten feet back into the property as measured from the current edge of sidewalk or street pavement to provide for controlling gravel tracking onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the City Engineer.
2. Any driveway approach built within public right-of-way shall be built and permitted per City requirements as approved by the City Engineer.
3. No driveway with a slope of greater than fifteen percent shall be permitted without approval of the City Engineer.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

I. Exceptions. The City Engineer reserves the right to waive these standards or not allow driveway access, if the driveway(s) would cause a significant traffic safety hazard. Narrower or wider driveway widths may be considered where field conditions preclude use of recommended widths. When larger vehicles and trucks will be the predominant users of a particular driveway, turning templates may be utilized to develop a driveway width that can safely and expeditiously accommodate the prevalent type of ingress and egress traffic.
Finding: Not Applicable. No exemptions are proposed with this GDP.

16.12.065 - Building site—Grading.
Grading of building sites shall conform to the State of Oregon Structural Specialty Code, Title 18, any approved grading plan and any approved residential lot grading plan in accordance with the requirements of OCMC 13.12,15.48, 16.12 and the Public Works Stormwater and Grading Design Standards, and the erosion control requirements of OCMC 17.47.
Finding: Applicable. Please refer to the findings within OCMC 13.12,15.48, 16.12 & 17.47 of this report.

16.12.085 - Easements.
The following shall govern the location, improvement and layout of easements:
A. Utilities. Utility easements shall be required where necessary as determined by the City Engineer. Insofar as practicable, easements shall be continuous and aligned from block-to-block within the development and with adjoining subdivisions or partitions.

> *1. Specific public utility easements for water, sanitary or storm drainage shall be provided based on approved final engineering plans conforming to the requirements found within the applicable Design Standards.*
> *2. Conveyance of public utility easements for gas, electric, telecommunication, and fiberoptic shall be required where necessary as determined by the City Engineer. The City Engineer will require the easement unless it is found that the utility can be placed in a different location or can be placed in a smaller easement than what is required. The easement shall be located adjacent to all public right of ways or public access easements within private property. In the event that the provision of a public utility easement would create a conflict with achieving compliance with another part of the code, the location and width may be adjusted by the City Engineer.*
> *a. The easement shall be 10 feet in the R-10, R-8, R-6, R-5, R-3.5, R-2, GI, and CI zones*
> *b. The easement shall be a minimum of 5 feet in the NC, HC, I, C, MUC-1, MUC-2, MUE, MUD, and WFDD zones.*
>> *a. The applicant shall obtain a written determination from all utilities that the minimum 5 foot PUE coupled with use of a minimum of a 5 foot area under the public sidewalk or parkway area is sufficient to serve the development. Where the minimum width is deemed inadequate, a modification shall be required.*
> *c. An applicant may seek a modification to the public utility easement dedication requirement using 16.12.013.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

B. Unusual Facilities. Easements for unusual facilities such as high voltage electric transmission lines, drainage channels and stormwater detention facilities shall be adequately sized for their intended purpose, including any necessary maintenance roads. These easements shall be shown to scale on the preliminary and final plats or maps. If the easement is for drainage channels, stormwater detention facilities or related purposes, the easement shall comply with the requirements of the Public Works Stormwater and Grading Design Standards.

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

C. Watercourses. Where a development is traversed or bounded by a watercourse, drainageway, channel or stream, a stormwater easement or drainage right-of-way shall be provided which conforms substantially to the line of such watercourse, drainageway, channel or stream and is of a sufficient width to allow construction, maintenance and control for the purpose as required by the responsible agency. For those subdivisions or partitions which are bounded by a stream of established recreational value, setbacks or easements may be required to prevent impacts to the water resource or to accommodate pedestrian or bicycle paths.

Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

D. Access. When easements are used to provide vehicular access to lots within a development, the construction standards, but not necessarily width standards, for the easement shall meet City specifications. The minimum width of the easement shall be 20 feet. The easements shall be improved and recorded by the applicant and inspected by the City Engineer. Access easements may also provide for utility placement.

Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

E. Resource Protection. Easements or other protective measures may also be required as the Community Development Director deems necessary to ensure compliance with applicable review criteria protecting any unusual significant natural feature or features of historic significance.

Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each DDP.

16.12.090 - Minimum improvements—Procedures.

In addition to other requirements, improvements installed by the applicant either as a requirement of these or other regulations, or at the applicant's option, shall conform to the requirements of this title and be designed to City specifications and standards as set out in the City's facility master plan and Public Works Stormwater and Grading Design Standards. The improvements shall be installed in accordance with the following procedure:

A. Improvement work shall not commence until construction plans have been reviewed and approved by the City Engineer and to the extent that improvements are located in County or State right-of-way, they shall be approved by the responsible authority. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the preliminary plat of a subdivision or partition. Expenses incurred thereby shall be borne by the applicant and paid for prior to final plan review.

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

B. Improvements shall be constructed under the inspection and approval of the City Engineer. Expenses incurred thereby shall be borne by the applicant and paid prior to final approval. Where required by the City Engineer or other City decision-maker, the applicant's project engineer also shall inspect construction.

Finding: Applicable These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

C. Erosion control or resource protection facilities or measures are required to be installed in accordance with the requirements of OCMC 17.47, 17.49 and the Public Works Erosion and Sediment Control Standards.
Finding: Compiles with Condition. See findings from OCMC 17.47, 17.49 of this report.

D. Underground utilities, waterlines, sanitary sewers and storm drains installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities, such as, storm, water and sanitary sewer shall be placed beyond the ten-foot-wide public utility easement within private property as defined in OCMC 16.12.85.A.2.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each phase's DDP.

E. As-built construction plans and digital copies of as-built drawings shall be filed with the City Engineer upon completion of the improvements.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and they will be further reviewed as part of each phase's DDP.

F. The City Engineer may regulate the hours of construction and access routes for construction equipment to minimize impacts on adjoining residences or neighborhoods.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each phase's DDP.

16.12.095 - Minimum improvements—Public facilities and services.
The following minimum improvements shall be required of all applicants for a development, unless the decision-maker determines that any such improvement is not proportional to the impact imposed on the City's public systems and facilities:
A. Transportation System. Applicants and all subsequent lot owners shall be responsible for improving the City's planned level of service on all public streets, including alleys within the development and those portions of public streets adjacent to but only partially within development. Applicants are responsible for designing and providing adequate vehicular, bicycle and pedestrian access to their developments and for accommodating future access to neighboring undeveloped properties that are suitably zoned for future development. Storm drainage facilities shall be installed and connected to off-site natural or man-made drainageways. Upon completion of the street improvement survey, the applicant shall reestablish and protect monuments of the type required by ORS 92.060 in monument boxes with covers at every public street intersection and all points or curvature and points of tangency of their center line, and at such other points as directed by the City Engineer.
Finding: Complies with Condition: The proposed development has frontage along Livesay Road to the south and has proposed that the Holly Lane collector running through the development will terminate at Livesay Road with a gate for emergency access only. The applicant has not provided any public improvements along its frontage to Livesay Road which is under the jurisdiction of Clackamas County. The County has noted concerns for the future traffic onto Livesay Road and the impact to its planned CIP project at the intersection of Redland and Livesay Road. The County has provided conditions of approval to be implemented with different phases of the development. Because the proposed layout is preliminary and subject to change with future DDPs, the applicant shall coordinate these conditions with the City and County with each DDP. The public improvements on Livesay Road shall be further reviewed in more detail with each DDP but at a minimum, the Applicant shall address the following:

A. All frontage improvements in, or adjacent to Clackamas County right-of-way, shall be in compliance with *Clackamas County Roadway Standards*.
B. The applicant shall dedicate an additional approximately 15 feet of right-of-way along the entire site frontage of S Livesay Road and shall verify by survey that a 35-foot wide, one-half right-of-way width exists, or shall dedicate additional right-of-way as necessary to provide it.
C. The following improvements will be required along the entire site frontage of S Livesay Road at the time of development of Phase 2, in accordance with Clackamas County Roadway Standards:

a. A 25-foot wide half-street improvement is required, constructed from centerline of the right-of-way. The structural section for S Livesay Road improvements shall be constructed per Clackamas County Roadway Standards Standard Drawing C100 for a collector roadway. Where widening is required, saw-cut and grind and inlay may be needed based on road condition, per Roadway Standards Section 225.5.

b. Standard curb, or curb and gutter if curbline slope is less than one percent, and pavement with the face of the new curb located 25 feet from the centerline of the right-of-way. Centerline of the right-of-way shall be established by a registered survey.

c. A minimum 7-foot wide unobstructed setback sidewalk shall be constructed along the frontage of the commercial sites on Tracts L and K. The remainder of the frontage a minimum 5-foot wide sidewalk shall be constructed.

d. A 5-foot wide landscape strip, including street trees shall be constructed along the entire site frontage.

e. Drainage facilities in conformance Tri-City regulations and Clackamas Roadway Standards, Chapter 4.

f. For the proposed public street intersection with S Livesay Road, construct dual curb ramps, per Oregon Standard Drawings.

g. The intersection of Holly Lane with S Livesay Road shall be limited to gated emergency vehicle access only, with the gate approve by the Clackamas Fire District.

D. If full access to S Livesay Road from the Master Plan site is proposed at any one of the proposed phases, a supplemental TIS will be required evaluating the adequacy of the off-site portion of S Livesay Road and the intersection with S Redland Road. At a minimum, a paved road width of 20 feet will be required from the project site to Redland Road, and the roadway is deemed adequate, or made adequate through improvements to support traffic from the masterplan site. Approval of a Development Permit from Clackamas County Engineering will be required for access to S Livesay Road.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval

B. Stormwater Drainage System. Applicants shall design and install drainage facilities within a development and shall connect the development's drainage system to the appropriate downstream storm drainage system as a minimum requirement for providing services to the applicant's development. The applicant shall obtain county or state approval when appropriate. Applicants are responsible for extending the appropriate storm drainage system to the development site and for providing for the connection of upgradient properties to that system. The applicant shall design the drainage facilities in accordance with City drainage master plan requirements, OCMC 13.12 and the Public Works Stormwater and Grading Design Standards.

Finding: Complies as Proposed. The GDP has provided preliminary plans of the phased stormwater management of this development and a preliminary stormwater report. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each phase's DDP.

C. Sanitary Sewer System. The applicant shall design and install a sanitary sewer system to serve all lots or parcels within a development in accordance with the City's sanitary sewer design standards, and shall connect those lots or parcels to the City's sanitary sewer system, except where connection is required to the county sanitary sewer system as approved by the

county. Applicants are responsible for extending the City's sanitary sewer system to the development site and through the applicant's property to allow for the future connection of neighboring undeveloped properties that are suitably zoned for future development. The applicant shall obtain all required permits and approvals from all affected jurisdictions prior to final approval and prior to commencement of construction. Design shall be approved by the City Engineer before construction begins.

Finding: Complies with Condition. Conceptual plans for the sanitary sewer system have been provided to the City showing the routing for each phase of the development. The proposed sanitary sewer system will be built and routed initially through Holcomb Boulevard before it eventually is rerouted to Redland Road when Holly Lane is extended in the future. Interim sewer connections are proposed for Phase 1 at Trail View Drive and Journey Drive. A final interim connection during Phase 2 will reroute Phase 1's sewer through Phase 2 and connect via a pedestrian bridge to Oak Valley Drive to bring the flows to Holcomb Boulevard. Conceptual capacity calculations have been provided to the City. Specific details on the design and construction shall be provided with the detailed development plans for each phase. The City's sanitary sewer consultant has noted that sections of the existing sewer system, downstream of the development, are nearing capacity. The applicant shall provide updated downstream capacity calculations with system capacity upgrades (if needed) at each DDP to confirm that the City's sanitary sewer system can safely handle each phase of the development.**Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

D. Water System. The applicant shall design and install a water system to serve all lots or parcels within a development in accordance with the City public works water system design standards, and shall connect those lots or parcels to the City's water system. Applicants are responsible for extending the City's water system to the development site and through the applicant's property to allow for the future connection of neighboring undeveloped properties that are suitably zoned for future development.

Finding: Complies with Condition. The proposed water system for the development is a preliminary design but is consistent with the Park Place Concept Plan. A 12 inch transmission main will be installed within Holly Lane for a future Park Place connection to the 16 inch transmission main south of Livesay Road. An Additional 12 inch main will connect Cattle Drive creating system looping which is ideal for water quality and for emergencies. Portions of the development (elevations greater than 450') will be served by Clackamas River Water (CRW). Water mains on local streets will serve individual lots. No specific designs have been provided with this GDP however, further refined details will be provided and reviewed with each DDP. Like the sewer system, the water system will be built overtime. Each DDP will confirm that the existing water systems (City and CRW) have capacity for each phase of development. Coordination with CRW will also be required. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

E. Street Trees. Refer to OCMC 12.08, Street Trees.

Finding: Not applicable. Street trees will be reviewed upon submittal of a DDP.

F. Bench Marks. At least one bench mark shall be located within the subdivision boundaries using datum plane specified by the City Engineer.

Finding: Complies as proposed. The applicant acknowledges this requirement, and it will be a part of each DDP.

G. Other Utilities. The applicant shall make all necessary arrangements with utility companies or other affected parties for the installation of underground lines and facilities. All new utilities shall be placed underground unless the respective franchise agreements allow otherwise or unless it is physically or technically impossible to comply with applicable standards. Existing electrical lines and other wires, including but not limited to telecommunication, street lighting and fiberoptic shall be relocated underground.

1. *Exemptions to relocation of existing overhead utilities to underground for property development as follows (Only one exemption criteria is required to be exempt from this requirement):*
   a. *No transmission or feeder lines shall be relocated underground unless approved by the City Engineer.*
   b. *Properties with less than 1.0 acre of ownership and area shall not be required to relocate existing overhead utilities unless required by the franchise utility.*
   c. *Properties with less than 200 feet of frontage on any individual roadway shall not be required to relocate existing overhead utilities unless required by the franchise utility.*
   d. *Land divisions Properties which propose with 5 or less fewer subdivided lots shall not be required to relocate existing overhead utilities unless required by the franchise utility.*
2. *The exemptions in G.1. do not apply if properties within the same block were required to relocate the overhead utilities within the past 10 years. In those cases, the existing overhead utilities shall be relocated underground.*
3. *When any franchise utility (electric, gas, telecommunication, fiberoptic, street lighting or similar utility) is installed along an existing or new roadway, the utility shall be installed within the existing or proposed public utility easement unless it is physically or technically impossible.*
4. *4. These requirements do not apply to work by a franchise utility for improvement, repair, alteration or addition to their existing systems.*

Finding: Complies as proposed. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.
H. Oversizing of Facilities. All facilities and improvements shall be designed to City standards as set out in the City's facility master plan, public works design standards, or other City ordinances or regulations. Compliance with facility design standards shall be addressed during final engineering. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The City may require oversizing of facilities to meet standards in the City's facility master plan or to allow for orderly and efficient development. Where oversizing is required, the applicant may request reimbursement from the City for oversizing based on the City's reimbursement policy and funds available, or provide for recovery of costs from intervening properties as they develop.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each phase's DDP.

I. Erosion Control Plan—Mitigation. The applicant shall be responsible for complying with all applicable provisions of OCMC 17.47 with regard to erosion control.
Finding: See findings from OCMC 17.47 of this report.

16.12.100 - Same—Road standards and requirements.
A. The creation of a public street and the resultant separate land parcels shall be in conformance with requirements for subdivisions or partitions and the applicable street design standards of this Chapter. However, the decision-maker may approve the creation of a public street to be established by deed without full compliance with the regulations applicable to subdivisions or partitions where any of the following conditions exist:
1. The establishment of the public street is initiated by the City Commission and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the street;
2. The tract in which the street is to be dedicated is within an isolated ownership either not over one acre or of such size and characteristics as to make it impossible to develop building sites for more than three dwelling units.
Finding: Applicable. Please refer to the findings in OCMC 16.12.016 within this report for applicable street design standards required for the public street created by the proposed development.

B. For any public street created pursuant to subsection A of this section, a copy of a preliminary plan and the proposed deed shall be submitted to the Community Development Director and City Engineer at least ten days prior to any public hearing scheduled for the matter. The plan, deed and any additional information the applicant may submit shall be reviewed by the decision-maker and, if not in conflict with the standards of Title 16 and Title 17, may be approved with appropriate conditions.

Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each phase's DDP.

C. The design and construction of public streets shall be per the standards found in this chapter and the most recent version of any City Design and Construction Standards.
Finding: Complies as Proposed. The GDP acknowledges these requirements, and the designs will be further refined and reviewed as part of each phase's DDP.

16.12.105 - Same—Timing requirements.
A. Prior to applying for final plat approval, the applicant shall either complete construction of all public improvements required as part of the preliminary plat approval or guarantee the construction of those improvements. Whichever option the applicant elects shall be in accordance with OCMC 17.50.140.
Finding: See findings from OCMC 17.50.140 regarding timing of construction of improvements and guarantee for construction of improvements.

B. Construction. The applicant shall construct the public improvements according to approved final engineering plans and all applicable requirements of this Code, and under the supervision of the City Engineer. Under this option, the improvement shall be complete and accepted by the City Engineer prior to final plat approval.
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

16.12.110 -Public improvements—Financial guarantees.
A. To ensure construction of required public improvements, the applicant shall provide the City with a performance guarantee in accordance with OCMC 17.50.140.
Finding: Please see findings from OCMC17.50.140 of this report.

B. After satisfactory completion of required public improvements and facilities, all public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period as prescribed in OCMC 17.50.141.
Finding: Please see findings from OCMC 17.50.141 of this report.

16.12.120 Waiver of Remonstrance
The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the City Attorney.
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

CHAPTER 17.08 LOW DENSITY RESIDENTIAL DISTRICTS

17.08.020 - Permitted uses.
Permitted uses in the R-10, R-8 and R-6 districts are:
A. Single-family detached residential units;
B. Accessory uses, buildings and dwellings;
C. Internal conversions;
D. Corner duplexes;

E. Cluster housing;
F. Residential homes;
G. Parks, playgrounds, playfields and community or neighborhood centers;
H. Home occupations;
I. Family day care providers;
J. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (retail sales of materials grown on-site is permitted);
K. Temporary real estate offices in model homes located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
L. Transportation facilities.

Finding: Permitted. The applicant proposed to construct single-family detached residential units within the portion of the site in the R-10 zone, allowed in OCMC 17.08.020.A.

17.08.030 - Master plans.
The following are permitted in the R-10, R-8 and R-6 districts when authorized by and in accordance with the standards contained in OCMC 17.65.
A. Single-family attached residential units.

Finding: Permitted. The applicant's plans include single-family attached residential units; although these are located in the R-5 zone area, some encroachment into the R-10 zone is permitted for this use when part of a Master Plan per OCMC 17.08.030.A.

17.08.040 - Dimensional standards.
Dimensional standards in the R-10, R-8 and R-6 districts are as follows:

Table 17.08.040

Standard	***R-10***
Minimum lot size[1]	*10,000 sq. ft.*
Maximum height	*35 ft.*
Maximum building lot coverage *With ADU*	*40%, except* *45%*
Minimum lot width	*65 ft.*
Minimum lot depth	*80 ft.*
Garage setback	*20 ft. from ROW, except* *5 ft. Alley*

Notes:
1. *For land divisions, lot sizes may be reduced pursuant to OCMC 16.08.065.*
2. *Accessory structures may have reduced setbacks pursuant to OCMC 17.54.010.B.*

Finding: Complies with condition. In the R-10 zone, the applicant has shown lots of approximately 4,000 square feet. This approach is explained by taking advantage of the NROD density transfer provisions which allow for reduction in the lot size of adjacent lots to a minimum of 5,000 square feet under OCMC 17.49.240 coupled with an additional 20% lot reduction under the master plan adjustment authorization of OCMC 17.65.070.

However, the 20 percent lot reduction adjustment cannot be further applied to allow a lot sized pursuant to the maximum NROD density transfer or 5,000 square foot lot to be further reduced to 4,000 square feet.

The intent and plain language of OCMC 17.65.070 is to allow for a 20% adjustment to the base or "underlying" zone dimensional standards, which means, an R-10 lot could be reduced from 10,000 sf to 8,000 square feet. The adjustment cannot be applied to allow a lot sized pursuant to the maximum NROD density transfer or 5,000 square foot lot to be further reduced to 4,000 square feet. Thus, the applicant shall ensure that lots in the R-10 zone are 5,000 square feet or more in area for future detailed development plan applications that show compliance with OCMC 17.49.240 for NROD density transfer. If density transfer standards cannot be met in future detailed development plan applications, the minimum size for lots within the R-10 zone will be 8,000 square feet, (assuming the requested 20% adjustment is approved).
Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

17.08.050 - Density standards.

A. Density standards in the R-10, R-8 and R-6 districts are as follows:

Table 17.08.050

Standard	***R-10***
Minimum net density	*3.5 du/acre*
Maximum net density	*4.4 du/acre*

B. Exceptions.

1. *Any dwelling units created as accessory dwelling units or internal conversions do not count towards the minimum or maximum density limits in Table 17.08.050.*
2. *Corner duplexes shall count as a single dwelling unit for the purposes of calculating density.*
3. *Cluster housing is permitted at higher densities exempt from the standards in Table 17.08.050; see OCMC 17.20.020.*

Finding: Complies as Proposed. The applicant requested an adjustment to density through OCMC 17.65.070 and provided the following density calculations. Complexity is added to this discussion through the need to show compliance with the Park Place Concept Plan as well as the minimum and maximum density of the zone. See

findings in response to OCMC 17.65.

Table 3: NROD Density Transfer

Area Category	Acreage
Net Developable Area	±47.7
NROD Conservation Tract Areas	±14.3
NROD Density Transfer (1/3 of NROD area)	±4.8
Total Developable Area for Density Calculations	±52.5

Table 4: Allowed Density by Zone

Zoning	Net Acreage	Percentage of Total Acres	Units per Net Acre (Minimum)	Units per Net Acre (Maximum)
Low Density Residential (R-10)	±2.8	5.8%	3.5	4.4
Medium Density Residential (R-5) (Detached)	±36.7	76.9%	7.0	8.7
Medium Density Residential (R-5) (Attached)	±6.9	14.5%	7.0	12.4
Geologic Hazard Areas (Slopes >25%)	±1.3	2.7%	-	2.0

Table 5: Planned Density Calculations

Calculated Minimum Density	±47.7 acres	±6.7 units per acre
Calculated Maximum Density	±47.7 acres	±8.8 units per acre
Calculated Area with NROD Transfer	±52.5 acres	-
Maximum Density with 10% GDP Increase	±52.5 acres	±9.7 units per acre
Planned Density	±52.5 acres	±9.1 units per acre

CHAPTER 17.10 MEDIUM DENSITY RESIDENTIAL DISTRICTS

17.10.020 - Permitted uses.
Permitted uses in the R-5 and R-3.5 districts are:
A. Single-family detached residential units;
B. Accessory uses, buildings and dwellings;
C. Internal conversions;
D. Duplexes;
E. Corner duplexes;
F. Single-family attached residential units;
G. 3-4 plex residential;
H. Cluster housing;
I. Manufactured home parks or subdivisions in the R-3.5 district only;
J. Residential homes;
K. Parks, playgrounds, playfields and community or neighborhood centers;
L. Home occupations;
M. Family day care providers;
N. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (retail sales of materials grown on-site is permitted);

O. Temporary real estate offices in model homes located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
P. Transportation facilities.

Finding: Permitted. The applicant proposed to construct single-family detached and single-family attached residential units, allowed in OCMC 17.10.020.A and F.

17.10.030 - Master plans.
The following use is permitted in the R-3.5 district when authorized by and in accordance with the standards contained in OCMC 17.65.
A. Multifamily residential.

Finding: Not applicable. The applicant did not propose multifamily uses in the R-3.5 zone.

17.10.040 - Dimensional standards.
Dimensional standards in the R-5 and R-3.5 districts are as follows:

Table 17.10.040

Standard	***R-5***
Minimum lot size[1] *Single-family detached* *Duplex* *Single-family attached* *3-4 plex*	 *5,000 sq. ft.* *6,000 sq. ft.* *3,500 sq. ft.* *2,500 sq. ft. per unit*
Maximum height	*35 ft.*
Maximum building lot coverage *Single-family detached and all duplexes* *With ADU* *Single-family attached and 3-4 plex*	 *50%* *60%* *70%*
Minimum lot width *All, except* *Single-family attached*	 *35 ft., except* *25 ft.*
Minimum lot depth	*70 ft.*
Garage setbacks	*20 ft. from ROW, except* *5 ft. from alley*

Finding: The applicant has requested a variance to the minimum lot size for attached single family uses. See findings in response to OCMC Chapter 17.60 of this report. Future detailed development plan applications will be required to show compliance with this standard.

17.10.050 - Density standards.
A. Density standards in the R-5 and R-3.5 districts are as follows:

Table 17.10.050

Standard	***R-5***	***R-3.5***
Minimum net density	*7.0 du/acre*	*10 du/acre*

Maximum net density • *Single-family detached* • *Single-family attached* • *3-4 plexes*	*8.7 du/acre* *12.4 du/acre* *17.4 du/acre*	*12.4 du/acre* *17.4 du/acre* *21.8 du/acre*

B. Exceptions.

1. *Any dwelling units created as accessory dwelling units or internal conversions do not count towards the minimum or maximum density limits in Table 17.10.050.*
2. *Duplexes and corner duplexes shall count as a single dwelling unit for the purposes of calculating minimum and maximum density standards.*
3. *Cluster housing is permitted at higher densities exempt from the standards in Table 17.10.050; see OCMC 17.20.020.*

Finding: Complies as Proposed. The applicant requested an adjustment to density through 17.65.070 and provided the following density calculations. Complexity is added to this discussion through the need to show compliance with the Park Place Concept Plan as well as the minimum and maximum density of the zone. See findings in 17.65.

Table 3: NROD Density Transfer

Area Category	Acreage
Net Developable Area	±47.7
NROD Conservation Tract Areas	±14.3
NROD Density Transfer (1/3 of NROD area)	±4.8
Total Developable Area for Density Calculations	±52.5

Table 4: Allowed Density by Zone

Zoning	Net Acreage	Percentage of Total Acres	Units per Net Acre (Minimum)	Units per Net Acre (Maximum)
Low Density Residential (R-10)	±2.8	5.8%	3.5	4.4
Medium Density Residential (R-5) (Detached)	±36.7	76.9%	7.0	8.7
Medium Density Residential (R-5) (Attached)	±6.9	14.5%	7.0	12.4
Geologic Hazard Areas (Slopes >25%)	±1.3	2.7%	-	2.0

Table 5: Planned Density Calculations

Calculated Minimum Density	±47.7 acres	±6.7 units per acre
Calculated Maximum Density	±47.7 acres	±8.8 units per acre
Calculated Area with NROD Transfer	±52.5 acres	-
Maximum Density with 10% GDP Increase	±52.5 acres	±9.7 units per acre
Planned Density	±52.5 acres	±9.1 units per acre

17.21 SINGLE-FAMILY RESIDENTIAL STANDARDS—PARK PLACE CONCEPT PLAN AREA

Staff note: This Chapter is applicable at the time of building permit review for new homes within the Park Place Concept Plan area. The applicant has requested an adjustment to one of the standards in this Chapter to allow garage orientation on the front of homes. See findings in response to OCMC 17.65.070 Adjustments to Standards.

CHAPTER 17.24 NC NEIGHBORHOOD COMMERCIAL DISTRICT

17.24.020 - Permitted Uses—NC.

The following uses are permitted within the Neighborhood Commercial District:

A. Any use permitted in the Mixed-Use Corridor, provided the maximum footprint for a stand alone building with a single store or multiple buildings with the same business does not exceed ten thousand square feet, unless otherwise restricted in this chapter;

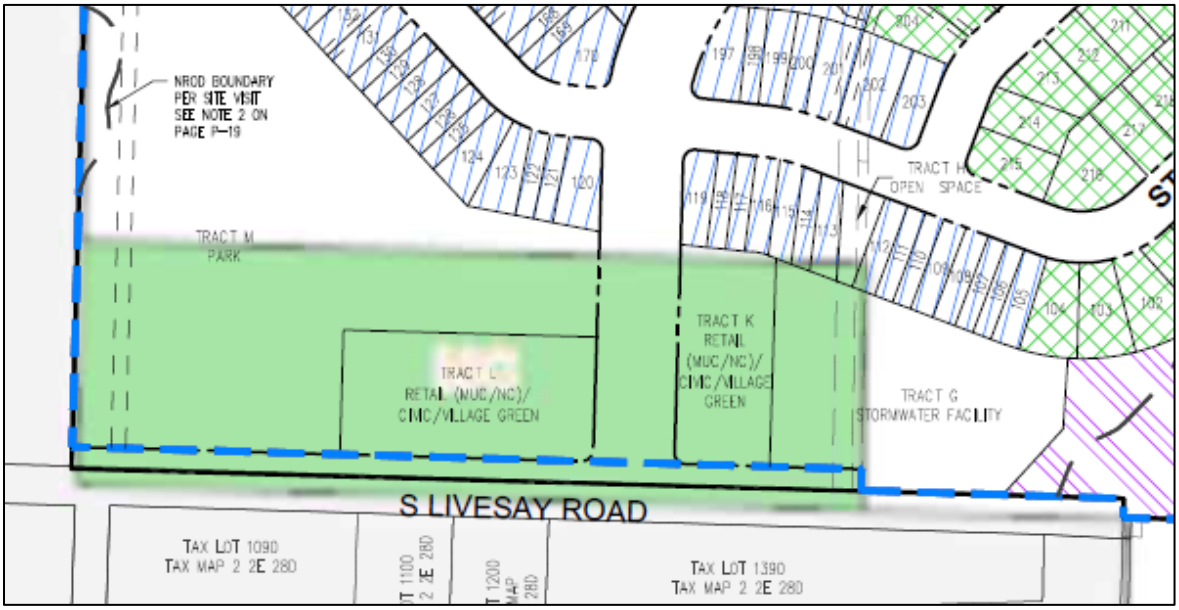
Permitted uses in the MUC zone include:

A. Banquet, conference facilities and meeting rooms.
B. Bed and breakfast/boarding houses, hotels, motels, and other lodging facilities.
C. Child care centers and/or nursery schools.
D. Indoor entertainment centers and arcades.
E. Health and fitness clubs.
F. Medical and dental clinics, outpatient; infirmary services.
G. Museums, libraries and cultural facilities.
H. Offices, including finance, insurance, real estate and government.
I. Outdoor markets, such as produce stands, craft markets and farmers markets that are operated on the weekends and after six p.m. during the weekday.
J. Postal services.
K. Parks, playgrounds, playfields and community or neighborhood centers.
L. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment.
M. Multi-family residential, 3—4 plex residential.
N. One or two dwelling units in conjunction with a nonresidential use, provided that the residential use occupies no more than fifty percent of the total square footage of the development.
O. Restaurants, eating and drinking establishments without a drive-through.
P. Services, including personal, professional, educational and financial services; laundry and dry-cleaning.
Q. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores, marijuana, and similar, provided the maximum footprint for a stand-alone building with a single store or multiple buildings with the same business does not exceed sixty thousand square feet.
R. Seasonal sales.
S. Residential care facilities, assisted living facilities; nursing homes and group homes for over fifteen patients licensed by the state.
T. Studios and galleries, including dance, art, photography, music and other arts.
U. Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers.
V. Veterinary clinics or pet hospitals, pet day care.
W. Home occupations.
X. Research and development activities.
Y. Temporary real estate offices in model dwellings located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed.
Z. Transportation facilities.
AA. Live/work dwellings.

BB. After-hours public parking.

B. Grocery stores, provided the maximum footprint for a stand alone building with a single store or multiple buildings with the same business does not exceed forty thousand square feet;
C. Live/work dwellings;
D. Outdoor sales that are ancillary to a permitted use on the same or abutting property under the same ownership.

Finding: Complies with Condition. The applicant proposed the following uses within the NC zone: a public park permitted under (K), a stormwater facility, which is considered a basic facility under (U), and two sites for future retail, allowed under (Q). Future detailed development plans may include any permitted uses in the NC zone, subject to review under OCMC 17.62 Site Plan and Design Review. The applicant shall ensure that future detailed development plans maintain the residential lots outside of the NC-zoned area, unless the residential use is considered permitted within the NC zone.



NC area of the property shown in green.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

17.24.025 - Conditional uses.
The following conditional uses may be permitted when approved in accordance with the process and standards contained in OCMC 17.56:
A. Any use permitted in the Neighborhood Commercial District that has a building footprint in excess of ten thousand square feet;
B. Emergency and ambulance services;
C. Drive-through facilities;
D. Outdoor markets that are operated before six p.m. on weekdays;
E. Public utilities and services such as pump stations and sub-stations;
F. Religious institutions;
G. Public and or private educational or training facilities;
H. Gas stations;
I. Hotels and motels, commercial lodging;
J. Veterinary clinic or pet hospital.

Finding: Complies as Proposed. No conditional uses are proposed in the NC zone. If conditional uses are proposed in the future, it will require conditional use review as well as a Master Plan Amendment.

17.24.035 - Prohibited uses.
The following uses are prohibited in the NC District:
A. Distributing, wholesaling and warehousing;
B. Outdoor storage;
C. Outdoor sales that are not ancillary to a permitted use on the same or abutting property under the same ownership;
D. Hospitals;
E. Kennels;
F. Motor vehicle sales and incidental service;
G. Motor vehicle repair and service;
H. Self-service storage facilities;
I. Heavy equipment service, repair, sales, storage or rental (including but not limited to construction equipment and machinery and farming equipment);
J. Marijuana production, processing, wholesaling, research, testing, and laboratories;
K. Mobile Food Units or Vendors, except with a special event permit.
L. Residential use that exceeds fifty percent of the total building square footage on-site.

Finding: Complies as Proposed. No prohibited uses are proposed in the NC zone.

17.24.040 - Dimensional standards.

Finding: Not applicable for the General Development Plan. No buildings are proposed in the NC zone at this time. Future detailed development plan applications will be required to show compliance with this standard.

F. Standards for residential uses: Residential uses shall meet the minimum net density standards for the R-3.5 district, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a mixed-use configuration or to live/work dwellings. Any new lots proposed for exclusive residential use shall meet the minimum lot size and setbacks for the R-3.5 zone for the proposed residential use type.

Finding: Not applicable for the General Development Plan. No buildings are proposed in the NC zone at this time. Future detailed development plan applications will be required to show compliance with this standard.

G. Minimum required landscaping (including landscaping within a parking lot): Fifteen percent.

Finding: Not applicable for the General Development Plan. No development is proposed in the NC zone at this time. Future detailed development plan applications will be required to show compliance with this standard.

GEOLOGIC HAZARDS – CHAPTER 17.44

Staff Note: This application is for a General Development Plan and as such review of compliance to specific details of OCMC 17.44 may not be appropriate at this time. This review is to determine the feasibility of the proposed GDP to meet the City's municipal code and the goals of the Park Place Concept Plan. Additional conditions of approval will follow specific to OCMC 17.44 with the Development's DDP for each phase.

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

No person shall develop land, construct, reconstruct, structurally alter, relocate or enlarge any building or structure for which a land development, sign, or building permit is required on a property that contains an area mapped within the adopted Oregon City Geologic Hazards Overlay Zone without first obtaining permits or approvals as required by this chapter.

The requirements of this chapter are in addition to other provisions of the Oregon City Municipal Code. Where the provisions of this chapter conflict with other provisions of the Oregon City Municipal Code, the provisions that are the more restrictive of regulated development activity shall govern.

Finding: Applicable. The development property contains an area mapped within the Oregon City Geologic Hazards Overlay Zone.

17.44.030 *- Procedures.*

No building or site development permit or other authorization for development shall be issued until the plans and other documents required by this chapter have been reviewed and found by the review authority to comply with the requirements of this chapter.

A. *Where the development is part of an application that otherwise requires a Type III procedure, review shall occur in the manner established in Chapter 17.50 for a consolidated Type III review.*
B. *Where the development is part of an application that otherwise requires a Type II procedure, review shall occur in the manner established in Chapter 17.50 for a consolidated Type II review.*
C. *For any other proposed development not otherwise subject to review as part of a development proposal that requires land use review, review shall occur in the manner established in Chapter 17.50 for a Type II procedure.*

Finding: Applicable The development shall undergo review per the applicable chapters of the Oregon City Municipal Code prior to issuance of building or site development permits.

17.44.035 *- Exemptions.*

The following activities, and persons engaging in same, are EXEMPT from the provisions of this chapter.

A. *An excavation which is less than two feet in depth, or which involves less than twenty-five cubic yards of volume;*
B. *A fill which does not exceed two feet in depth or which includes less than twenty-five cubic yards of volume;*
C. *A combined cut and fill that does not involve more than twenty-five cubic yards of volume.*
D. *Installation, new construction, addition or structural alteration of any existing structure of less than five hundred square feet in building footprint that does not involve grading as defined in this chapter;*
E. *Installation, construction, reconstruction, or replacement of public and private utility lines in the hardscape portion of the city right-of-way, existing utility crossings, existing basalt lined drainage channels, or public easement, not including electric substations;*
F. *Tree removal on slopes 25 percent or greater where canopy area removal is less than 25 percent of the portion of the lot which contains 25 percent or greater slopes. For the purpose of this chapter, "tree" shall be as defined in OCMC 17.04.1315.*
G. *The removal or control of noxious vegetation;*
H. *Emergency actions which must be undertaken immediately to prevent an imminent threat to public health or safety, or prevent imminent danger to public or private property. The person undertaking emergency action shall notify the building official on all regulated activities associated with any building permit or City Engineer/Public Works Director on all others within one working day following the commencement of the emergency activity. If the City Engineer/Public Works Director or building official determine that the action or part of the action taken is beyond the scope of allowed emergency action, enforcement action may be taken.*

Finding: Not Applicable. The application does not meet any of the criteria for an exemption to the geologic hazard code, OCMC 17.44.

17.44.050 *- Development - Application Requirements and Review Procedures and Approvals.*

Except as provided by subsection C. of this section, an application for a geologic hazards overlay review shall include the following:

17.44.050.A.

A geological assessment and geotechnical report that specifically includes, but is not limited to:

1. Comprehensive information and data regarding the nature and distribution of underlying geology, the physical and chemical properties of existing soils and groundwater; an opinion of site geologic stability, and conclusions regarding the effect of geologic conditions on the proposed development. In addition to any field reconnaissance or subsurface investigation performed for the site, the following resources, as a minimum, shall be reviewed to obtain this information and data:

- *a. The State of Oregon Department of Geology and Mineral Industries (DOGAMI) in Bulletin 99, Geology and Geological Hazards of North Clackamas County, Oregon (1979), or in any subsequent DOGAMI mapping for the Oregon City area;*
- *b. Portland State University study entitled "Environmental Assessment of Newell Creek Canyon, Oregon City, Oregon" (1992);*
- *c. Portland State University study, "Landslides in the Portland, Oregon, Metropolitan Area Resulting from the Storm of February 1996: Inventory Map, Database and Evaluation" (Burns and others, 1998);*
- *d. DOGAMI Open File Report O-06-27, "Map of Landslide Geomorphology of Oregon City, Oregon, and Vicinity Interpreted from LIDAR Imagery and Aerial Photographs" (Madin and Burns, 2006);*
- *e. "Preliminary Geologic Map of the Oregon City Quadrangle, Clackamas County, Oregon" (Madin, in press);*
- *f. Landslide Hazards Land Use Guide for Oregon Communities (October 2019), prepared by the State of Oregon Department of Geology and Mineral Industries (DOGAMI) and the Oregon Department of Land Conservation and Development (DLCD);*
- *g. Landslide hazard and risk study of northwestern Clackamas County, Oregon: Oregon Department of Geology and Mineral Industries, Open-File Report O-13-08, 74 map plates; Burns, W.J., Mickelson, K.A., Jones, C.B., Pickner, S.G., Hughes, K.L., Sleeter, R., 2013.*
- *h. Mapped Landslide Data shall be from the City's Maps as a minimum but may be supplemented with maps from items a through f above.*

Finding: Complies as proposed. The application has provided preliminary geological hazard memos describing the general feasibility of the proposed Master Plan to meet the City's Municipal Code and engineering standards for the Geological Hazard Overlay Area. At the time the detailed development plans are submitted for each phase, the applicant will provide a full, more detailed geotechnical memorandum with the required supplemental information noted above.

2. Information and recommendations regarding existing local drainage, proposed permit activity impacts on local drainage, and mitigation to address adverse impacts;

Finding: Complies as Proposed. The application has provided general geological hazard memos for the site's masterplan. The applicant has noted that a more detailed geotechnical memorandum with its supporting documents will be submitted with each phase's detailed development plan.

3. Comprehensive information about site topography;

Finding: Complies as Proposed. The application has provided general geological hazard memos for the site's masterplan. The applicant has noted that a more detailed geotechnical memorandum with its supporting documents will be submitted with each phase's detailed development plan.

4. Opinion as to the adequacy of the proposed development from an engineering standpoint;

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

5. Opinion as to the extent that instability on adjacent properties may adversely affect the project;

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

6. Description of the field investigation and findings, including logs of subsurface conditions and laboratory testing results;

Finding: Complies as Proposed. The application has provided a preliminary Geotechnical Report with the information listed in OCMC 17.44.050.A.6. The applicant has noted that a more detailed geotechnical memorandum with its supporting documents will be submitted with each phase's detailed development plan.

7. Conclusions regarding the effect of geologic conditions on the proposed development, tree removal, or grading activity;

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

8. Specific requirements and recommendations for plan modification, corrective grading, and special techniques and systems to facilitate a safe and stable site;

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

9. Recommendations and types of considerations as appropriate for the type of proposed development:

a. General earthwork considerations, including recommendations for temporary and permanent cut and fill slopes and placement of structural fill,
b. Location of residence on lot,
c. Building setbacks from slopes,
d. Erosion control techniques applicable to the site,
e. Surface drainage control to mitigate existing and potential geologic hazards,
f. Subsurface drainage and/or management of groundwater seepage,
g. Foundations,
h. Embedded/retaining walls,
i. Management of surface water and irrigation water;
j. Impact of the development on the slope stability of the lot and the adjacent properties.
k. Construction phasing and implementation schedule as it relates to foundation excavation, allowance for stockpiles, imported backfill, site subsurface drainage or dewatering, provision for offseason site protections;
l. Stormwater Management; and
m. Construction Methods

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

10. Scaled drawings that describe topography and proposed site work, including:

a. Natural physical features, topography at two or ten-foot contour intervals locations of all test excavations or borings, watercourses both perennial and intermittent, ravines and all existing and manmade structures or features all fully dimensioned, trees six- inch caliper or greater measured four feet from ground level, rock outcroppings and drainage facilities;
b. All of the features and detail required for the site plan above, but reflecting preliminary finished grades and indicating in cubic yards whether and to what extent there will be a net increase or loss of soil.
c. A cross-section diagram, indicating depth, extent and approximate volume of all excavation and fills.

Finding: Complies as Proposed. The application has provided all of the information listed in 17.44.050.A.10

11. For properties greater than one acre and any property that has any portion of its property existing within a mapped landslide, where the activity is not exempted by 17.44.35, a preliminary hydrology report, prepared by a suitably qualified and experienced hydrology expert, addressing the effect upon the watershed in which the proposed development is located; the effect upon the immediate area's stormwater drainage pattern of flow, the impact of the proposed development upon downstream areas and upon wetlands and water resources; and the effect upon the groundwater supply.

Finding: Complies with Condition. The site is greater than one acre and contains mapped geologic landslides. The applicant shall provide a hydrology report that addresses the effect of the stormwater outfall upon the local

watershed with each DDP. The hydrology report must address the discharges erosion and landslide effect on the downhill slope, the stabilization of the uphill slope, and the environmental impact on the downhill slope as well as how the underground aquifers will be maintained. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

17.44.050.B. *Review Procedures and Approvals require the following:*

1) *Examination to ensure that:*
   a) *Required application requirements are completed;*
   b) *Geologic assessment and geotechnical report procedures and assumptions are generally accepted; and*
   c) *All conclusions and recommendations are supported and reasonable.*

Finding: Complies as Proposed. The application has provided all of the information listed in 17.44.050.B.1

17.44.050.B.2 *Conclusions and recommendations stated in an approved assessment or report shall then be directly incorporated as permit conditions or provide the basis for conditions of approval for the regulated activity.*

Finding: Complies as Proposed. The application has provided all of the information listed in 17.44.050.B.2

17.44.050.B.3 *All geologic assessments and geotechnical reports shall be reviewed by an engineer certified for expertise in geology or geologic engineering and geotechnical engineering, respectively, as determined by the City. The City will prepare a list of prequalified consultants for this purpose. The cost of review by independent review shall be paid by the applicant.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.050.C*. The city engineer may waive one or more requirements of subsections A and B of this section if the city engineer determines that site conditions, size or type or development of grading requirements do not warrant such detailed information. If one or more requirements are waived, the city engineer shall, in the staff report or decision, identify the waived provision(s), explain the reasons for the waiver, and state that the waiver may be challenged on appeal and may be denied by a subsequent review authority.*

Finding: Not Applicable. The City Engineer has not waived any of the requirements as all requirements apply to this application.

17.44.060 *Development Standards.*

Notwithstanding any contrary dimensional or density requirements of the underlying zone, the following standards shall apply to the review of any development proposal subject to this chapter. Requirements of this chapter are in addition to other provision of the Oregon City Municipal Code. Where provision of this chapter conflict with other provision of the Oregon City Municipal Code, the provisions that are more restrictive of regulated development activity shall govern.

17.44.060.A *All developments shall be designed to avoid unnecessary disturbance of natural topography, vegetation and soils. To the maximum extent practicable as determined by the review authority, tree and ground cover removal and fill and grading for residential development on individual lots shall be confined to building footprints and driveways, to areas required for utility easements and for slope easements for road construction, and to areas of geotechnical remediation.*

Finding: Complies with condition. A majority of the proposed development meets this condition. However further refinement and reduction of the proposed development within the geological hazard areas will be needed with each phase's detailed development plans. This includes the number of buildable lots in the geohazard area (see 17.44.060.H below). The proposed alignments of Holly Lane, Street 6, and Street C do not avoid mapped geological hazards. The final alignment of the proposed streets and the number of buildable lots located in the geological hazard areas shall be further reviewed as part each phase's DDP. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

17.44.060.B *All grading, drainage improvements, or other land disturbances shall only occur from May 1 to October 31. "Land disturbance" is defined as any movement of earth, placement of earth, or movement of heavy trucks on earth, not*

including the right of way. Erosion control measures shall be installed and functional prior to any disturbances. Erosion control measures shall also be functioning and in a winterized stable condition once all land disturbance work has ceased for the year. The City Engineer may allow grading, drainage improvements or other land disturbances to begin before May 1 (but no earlier than March 16) and end after October 31 (but no later than November 30), based upon weather conditions and the recommendation and direction of the project's geotechnical engineer. The City Engineer may use the expertise of a City contracted geotechnical consultant to make the decision to allow any work before May 1 or after October 31. The City Engineer has full authority to not allow any extension of work before May 1 or after October 31. In no case shall the applicant be allowed to begin work before May 1 or complete work after October 31 if the average monthly rainfall in any individual month between September and April is exceeded. When allowed by the City Engineer, the modification of dates shall be the minimum necessary, based upon the evidence provided by the applicant, to accomplish the necessary project goals. Temporary protective fencing shall be established around all trees and vegetation designed for protection prior to the commencement of grading or other soil disturbance.

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.060.C *Designs shall minimize the number and size of cuts and fills.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.060.D *Cut and fill slopes greater than seven feet in height (as measured vertically) shall be terraced. Faces on a terraced section shall not exceed five feet. Terrace widths shall be a minimum of three feet and shall be vegetated. Total cut and fill slopes shall not exceed a vertical height of fifteen feet. Except in connection with geotechnical remediation plans approved in accordance with the chapter, cuts shall not remove the toe of any slope that contains a known landslide or is greater than twenty-five percent slope. The top of cut or fill slopes not utilizing structural retaining walls shall be located a minimum of one-half the height of the cut slope from the nearest property line.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.060.E *Any structural fill shall be designed by a suitably qualified and experienced civil or geotechnical engineer licensed in Oregon in accordance with standard engineering practice. The applicant's engineer shall certify that the fill has been constructed as designed in accordance with the provisions of this chapter. The structural fill design must be provided prior to any fill being placed onsite. The structural fill design must contain the stamp and signature of a professional engineer licensed in the State of Oregon.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.060.F *Retaining walls shall be constructed in accordance with the Oregon Structural Specialty Code adopted by the State of Oregon.*

1. *Retaining walls that are four feet or greater in height, tiered walls with a total height four feet or*
2. *The construction of the wall must be inspected by the professional engineer responsible for the design and must be certified prior to the structure receiving temporary occupancy. The certification must contain the stamp and signature of a professional engineer licensed in the State of Oregon.*
3. *All retaining walls required to be designed by a professional engineer shall be reviewed by the City, when expertise exists on staff, or by the City's consultant. When reviewed by the City's consultant, the applicant shall reimburse the City for time spent by the City's consultant to review the design.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.060.G *Roads shall be the minimum width necessary to provide safe vehicle and emergency access, minimize cut and fill and provide positive drainage control. The review authority may grant a variance from the City's required road standards*

upon findings that the variance would provide safe vehicle and emergency access and is necessary to comply with the purpose and policy of this chapter.

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.060.H *Density shall be determined as follows:*

1. Slope

a. For those areas with slopes less than twenty-five percent between grade breaks, the allowed density shall be that permitted by the underlying zoning district, unless further limited by the following code section;

b. For those areas with slopes of twenty-five to thirty-five percent between grade breaks, the density shall not exceed two dwelling units per acre except as otherwise provided in subsection I of this section;

c. For those areas with slopes over thirty-five percent between grade breaks, development shall be prohibited except as otherwise provided in subsection I 4 of this section.

2. Existing landslide (as shown in the Geologic Hazard Overlay Zone)

a. For those areas with historic landslides where the structure or ground disturbance will be located within any portion of the mapped landslide or buffer zone, the density shall not exceed two dwelling units per acre except as otherwise provided in subsection I of this section;

Finding: Complies with Condition. This code applies to the entirety of the overall land proposed for development and not the newly created individual lots. As such, the number of lots proposed for this site within the geological hazard areas (e.g. Lots 433-440, 464-465, 378-379, 270-274, 233-237, 96-97, and 75) exceed the density requirements above for the overall site. During the detailed design phase, the applicant shall further refine the number of lots proposed within the geologic hazard areas to meet the City's density requirements. This may include identifying lots as unbuildable green space or modifying the size of the lots to reduce the density. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval**

17.44.060.I *For properties with slopes of twenty-five to thirty-five percent between grade breaks or are located within any portion of a mapped landslide and buffer zone:*

1. *For those portions of the property with slopes of twenty-five to thirty-five percent or located within any portion of a mapped landslide and buffer zone, the maximum residential density shall be limited to two dwelling units per acre; provided, however, that where the entire site is less than one-half acre in size, a single dwelling shall be allowed on a lot or parcel existing as of January 1, 1994 and meeting the minimum lot size requirements of the underlying zone;*
2. *An individual lot or parcel with slopes between twenty-five and thirty-five percent or located within any portion of a mapped landslide and buffer zone, shall have no more than fifty percent or four thousand square feet of the surface area, whichever is smaller, graded or stripped of vegetation or covered with structures or impermeable surfaces.*
3. *No cut into a slope of twenty-five to thirty-five percent or located within any portion of a mapped landslide and buffer zone, for the placement of a housing unit shall exceed a maximum vertical height of fifteen feet for the individual lot or parcel.*
4. *For those portions of the property with slopes over thirty-five percent between grade breaks:*

    a. *Notwithstanding any other city land use regulation, development other than roads, utilities, public facilities and geotechnical remediation shall be prohibited; provided, however, that the review authority may allow development upon such portions of land upon demonstration by an applicant that failure to permit development would deprive the property owner of all economically beneficial use of the property. This determination shall be made considering the entire parcel in question and contiguous parcels in common ownership on or after January 1, 1994, not just the portion where development is otherwise prohibited by this chapter. Where this showing can be made on residentially zoned land, development shall be allowed and limited to one single-family residence. Any development approved under this chapter shall be subject to compliance with all other applicable city requirements as well as any applicable state, federal or other requirements;*

b. *To the maximum extent practicable as determined by the review authority, the applicant shall avoid locating roads, utilities, and public facilities on or across slopes exceeding thirty-five percent.*

Finding: Complies with Condition. This code applies to the entirety of the overall land proposed for development and not the newly created individual lots. As such, the number of lots proposed for this site within the geological hazard areas (e.g. Lots 433-440, 464-465, 378-379, 270-274, 233-237, 96-97, and 75) exceed the density requirements above for the overall site. During the detailed design phase, the applicant shall further refine the number of lots proposed within the geologic hazard areas to meet the City's density requirements. This may include identifying lots as unbuildable green space or modifying the size of the lots to reduce the density. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval**

17.44.060.J *The geotechnical engineer of record shall review final grading, drainage, and foundation plans and specifications and confirm in writing that they are in conformance with the recommendations provided in their report.*

Finding: Complies as proposed. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.060.K *At the City's discretion, peer review shall be required for the geotechnical evaluation/investigation report submitted for the development and/or lot plans. The peer reviewer shall be selected by the City. The applicant's geotechnical engineer shall respond to written comments provided by the City's peer reviewer prior to issuance of building permit.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.060.L *The review authority shall determine whether the proposed methods of rendering a known or potential hazard site safe for construction, including proposed geotechnical remediation methods, are feasible and adequate to prevent landslides or damage to property and safety. The review authority shall consult with the City's geotechnical engineer in making this determination. Costs for such consultation shall be paid by the applicant. The review authority may allow development in a known or potential hazard area as provided in this chapter if specific findings are made that the specific provisions in the design of the proposed development will prevent landslides or damage. The review authority may impose any conditions, including limits on type or intensity of land use, which it determines are necessary to assure that landslides or property damage will not occur.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.070 *- Access to Property.*

A. *Shared private driveways may be required if the city engineer or principal planner determines that their use will result in safer location of the driveway and lesser amounts of land coverage than would result if separate private driveways are used.*
B. *Innovations in driveway design and road construction shall be permitted in order to keep grading and cuts or fills to a minimum and to achieve the purpose and policy of this chapter.*
C. *Points of access to arterials and collectors shall be minimized.*
D. *The city engineer or principal planner shall verify that adequate emergency services can be provided to the site.*

Finding: Complies as Proposed. The proposed access to the site and lots meet the code above and the requirements of the Park Place Concept Plan (i.e. alley driveway access instead of access off of a collector road).

17.44.080 *- Utilities.*

All new utilities (storm sewer, sanitary sewer, potable water, and gas), both on-site and off-site, shall be placed underground and under roadbeds where practicable. All other service utilities (including, but not limited to, electric, telephone, telecom, cable, fiberoptic) shall be placed above ground on existing poles if poles exist. If no poles exist, the service lines shall be placed underground. Every effort shall be made to minimize the impact of utility construction. Underground utilities require the geologic hazards permitting and review prescribed herein when applicable.

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.090 *- Stormwater Drainage.*
The applicant shall submit a permanent and complete stormwater control plan. The program shall include, but not be limited to the following items as appropriate: curbs, gutters, inlets, catch basins, detention facilities and stabilized outfalls. Detention facilities shall be designed to city standards as set out in the city's drainage master plan and design standards. The review authority may impose conditions to ensure that waters are drained from the development so as to limit degradation of water quality consistent with Oregon City's Title III section of the Oregon City Municipal Code Chapter 17.49 and the Oregon City Stormwater and Grading Design Standards or other adopted standards subsequently adopted by the city commission. The review authority may also impose conditions to limit the volume, velocity, or flow rate of water such that it does not negatively impact the underlying drainageway cross section. Drainage design shall be approved by the City Engineer before construction, including grading or other soil disturbance, has begun.
A geotechnical report must include analysis and solutions for infiltration facilities located in areas where these facilities could impact nearby slopes of greater than 10 percent. Infiltration shall be minimized as practicable for any site located within a Geologic Hazard Overlay. Infiltration is not allowed for any site located in areas greater than 25 percent.
The project's civil or geotechnical engineer shall inspect any stormwater management feature and must certify that the stormwater management feature was constructed per plan and with the recommendations of the geotechnical engineer prior to receiving temporary occupancy. The certification must contain the stamp and signature of a professional engineer licensed in the State of Oregon.
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.100 *- Construction Standards.*
During construction on land subject to this chapter, the following standards shall be implemented by the developer:
17.44.100.A *All development activity shall minimize vegetation removal and soil disturbance and shall provide positive erosion prevention measures in conformance with OCMC Chapter 17.47 – Erosion and Sediment Control.*
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.100.B *No grading, clearing or excavation of any land shall be initiated prior to approval of the grading plan, except that the city engineer shall authorize the site access, brush to be cleared and the location of the test pit digging prior to approval of such plan to the extent needed to complete preliminary and final engineering and surveying. The grading plan shall be approved by the city engineer as part of the city's review under this chapter. The developer shall be responsible for the proper execution of the approved grading plan.*
Measures shall be taken to protect against landslides, mudflows, soil slump and erosion. Such measures shall include sediment fences, straw bales, erosion blankets, temporary sedimentation ponds, interceptor dikes and swales, undisturbed buffers, grooving and stair stepping, check dams, etc. The applicant shall comply with the measures described in the Oregon City Public Works Standards for Erosion and Sedimentation Control (Ordinance 99-1013). Erosion control measures shall be in place at all times during construction to the maximum extent practicable.
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.100.C *All disturbed vegetation shall be replanted with suitable vegetation upon completion of the grading of the steep slope area.*
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.100.D *Existing vegetative cover shall be maintained to the maximum extent practicable. No grading, compaction or change in ground elevation, soil hydrology and/or site drainage shall be permitted within the drip line of trees designated for protection, unless approved by the City.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.100.E *Existing perennial and intermittent watercourses shall not be disturbed unless specifically authorized by the review authority. This includes physical impacts to the stream course as well as siltation and erosion impacts. The City, at its discretion, is not required to but may request the examination and assessment by other State agencies to determine if impacts are acceptable.*
Finding: See findings from OCMC 17.49 of this report

17.44.100.F *All soil erosion and sediment control measures shall be maintained during construction and for one year after development is completed, or until soils are stabilized by revegetation or other measures to the satisfaction of the city engineer. Such maintenance shall be the responsibility of the developer. If erosion or sediment control measures are not being properly maintained or are not functioning properly due to faulty installation or neglect, the City may order work to be stopped.*
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.100.G *All newly created lots, either by subdivision or partition, shall contain building envelopes with a slope of 35% or less.*
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.100.H *The applicant's geotechnical engineer shall provide special inspection during construction to confirm that the subsurface conditions and assumptions made as part of their geotechnical evaluation/investigation are appropriate. This will allow for timely design changes if site conditions are encountered that are different from those anticipated. Inspection is required on a daily basis for any day that earth disturbance is occurring or after any rainfall event of ½ inch or greater.*
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.100.I *Prior to issuing an occupancy permit, the geotechnical engineer shall prepare a summary letter stating that the soils- and foundation-related project elements were accomplished in substantial conformance with their recommendations. The summary letter must contain the stamp and signature of a professional engineer licensed in the State of Oregon.*
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.110 *- Approval of development.*
The City Engineer shall review the application and verify, based on the applicant's materials and the land use record, whether the proposed development constitutes a hazard to life, property, natural resources or public facilities. If, in the City Engineer's opinion, a particular development poses such a hazard, the City Engineer shall recommend to the review authority permit conditions designed to reduce or eliminate the hazard. These conditions may include, but are not limited to, prohibitions on construction activities between November 1st and April 30th.
Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.120 *- Liability. Approval of an application for development on land subject to this chapter shall not imply any liability on the part of the city for any subsequent damage due to earth slides. Prior to the issuance of a building permit, a waiver of damages and an indemnity and hold harmless agreement shall be required which releases the city from all liability for any damages resulting from the development approved by the city's decision. The indemnity and hold harmless agreement shall be recorded on the property and run with the property.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.44.130 *- Compliance.*
Nothing contained in this chapter shall relieve the developer of the duty to comply with any other provision of law. In the case of a conflict, the more restrictive regulation shall apply.

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

CHAPTER 17.49 NATURAL RESOURCES OVERLAY DISTRICT

17.49.020 NROD identifying documents.

A. The NROD protects as one connected system the habitats and associated functions of the streams, riparian corridors, wetlands and the regulated upland habitats found in Oregon City. These habitats and functions are described in the following documents upon which the NROD is based:

1. *The 1999 Oregon City Local Wetland Inventory.*
2. *The Oregon City Water Quality Resource Area Map (Ord. No. 99-1013).*
3. *2004 Oregon City slope data and mapping (LIDAR).*
4. *Metro Regionally Significant Habitat Map (Aerial Photos taken 2002).*
5. *National Wetland Inventory (published 1992).*
6. *Beavercreek Road Concept Plan (adopted September 2008).*
7. *Park Place Concept Plan (adopted April 2008).*
8. *South End Concept Plan (adopted April 2014).*

The NROD provisions apply only to properties within the NROD as shown on the NROD Map, as amended.

The intent of these regulations is to provide applicants the ability to choose a clear and objective review process or a discretionary review process. The NROD provisions do not affect existing uses and development, or the normal maintenance of existing structures, driveways/parking areas, public facilities, farmland and landscaped areas. New public facilities such as recreation trails, planned road and utility line crossings and stormwater facilities, are allowed within the overlay district under prescribed conditions as described in OCMC 17.49.090. In addition, provisions to allow a limited portion of the NROD to be developed on existing lots of record that are entirely or mostly covered by the NROD ("highly constrained") are described in OCMC 17.49.120.

Finding: The applicant has responded to this Chapter to demonstrate that compliance with selected provisions of the NROD is feasible for future development. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this Chapter.

7.49.030 Map as reference.

1. *This chapter applies to all development within the natural resources overlay district as shown on the NROD Map, which is a regulatory boundary mapped ten feet beyond the required vegetated corridor width specified in OCMC 17.49.110. The mapped NROD boundary is based on a GIS-supported application of the adopted documents, plans and maps listed in OCMC 17.49.020.A.1—17.49.020.A.8, however the adopted map may not indicate the true location of protected features.*
2. *Notwithstanding changing field conditions or updated mapping approved by the city (and processed as a Type I Verification per OCMC 17.49.255), the applicant may choose to either accept the adopted NROD boundary or provide a verifiable delineation of the true location of the natural resource feature pursuant to the Type I or Type II procedure in accordance with this chapter.*
3. *The NROD boundary shall be shown on all development permit applications.*
4. *The official NROD map can only be amended by the city commission.*
5. *Verification of the map shall be processed pursuant to OCMC 17.49.250.*

Finding: The applicant has responded to this Chapter to demonstrate that compliance with selected provisions of the NROD is feasible for future development.

17.49.035 - Addition of wetlands to map following adoption.
The NROD boundary shall be expanded to include a wetland identified during the course of a development permit review if it is within or partially within the mapped NROD boundary and meets the State of Oregon's definition of a "Locally Significant Wetland". In such cases, the entire wetland and its required vegetated corridor as defined in Table 17.49.110 shall be regulated pursuant to the standards of this chapter. The amended NROD boundary may be relied upon by the Community Development Director for the purposes of subsequent development review.
Finding: Applicable. The applicant has shown the mapped NROD on the submitted plans, as well as wetland discovered on parts of the site that were studied. Several of these wetlands are outside of the NROD boundary and are not required to be added to the NROD boundary. Other areas of the site were not studied and it is possible that additional wetlands, potentially partially within the mapped NROD boundary, may be discovered. No verification or development is proposed at this time. Future detailed development plan applications will be required to show compliance with this Chapter.

17.49.040 - NROD permit and review process.
An NROD permit is required for those uses regulated under OCMC 17.49.090, Uses Allowed under Prescribed Conditions. An NROD permit shall be processed under the Type II development permit procedure, unless an adjustment of standards pursuant to OCMC 17.49.200 is requested or the application is being processed in conjunction with a concurrent application or action requiring a Type III or Type IV development permit.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.050 - Emergencies.
The provisions of this ordinance do not apply to work necessary to protect, repair, maintain, or replace existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements in response to emergencies. After the emergency has passed, any disturbed native vegetation areas shall be replanted with similar vegetation found in the Oregon City Native Plant List pursuant to the mitigation standards of OCMC 17.49.180. For purposes of this section emergency shall mean any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, and includes, but is not limited to fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of oil or hazardous material, contamination, utility or transportation disruptions, and disease.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.060 - Consistency and relationship to other regulations.
A. Where the provisions of the NROD are less restrictive or conflict with comparable provisions of the OCMC, other City requirements, regional, state or federal law, the provisions that provides the greater protection of the resource shall govern.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

B. Compliance with Federal and State Requirements.
1. If the proposed development requires the approval of any other governmental agency, such as the Division of State Lands or the U.S. Army Corps of Engineers, the applicant shall make an application for such approval prior to or simultaneously with the submittal of its development application to the City. The planning division shall coordinate City approvals with those of other agencies to the extent necessary and feasible. Any permit issued by the City pursuant to this chapter shall not become valid until other agency approvals have been obtained or those agencies indicate that such approvals are not required.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

2. The requirements of this chapter apply only to areas within the NROD and to locally significant wetlands that may be added to the boundary during the course of development review pursuant to OCMC 17.49.035. If, in the course of a development review, evidence suggests that a property outside the NROD may contain a wetland or other protected water resource, the provisions of this chapter shall not be applied to that development review. However, the omission shall not

excuse the applicant from satisfying any state and federal wetland requirements which are otherwise applicable. Those requirements apply in addition to, and apart from the requirements of the City's comprehensive plan and this code.

Finding: Applicable. The applicant has shown the mapped NROD on the submitted plans, as well as wetland discovered on parts of the site that were studied. Several of these wetlands are outside of the NROD boundary and are not required to be added to the NROD boundary Other areas of the site were not studied and it is possible that additional wetlands, potentially partially within the mapped NROD boundary, may be discovered. No verification or development is proposed at this time. Future detailed development plan applications will be required to show compliance with this Chapter.

17.49.070 - Prohibited uses.

The following development and activities are not allowed within the NROD:

A. Any new gardens, lawns, structures, development, other than those allowed outright (exempted) by the NROD or that is part of a regulated use that is approved under prescribed conditions. Note: Gardens and lawns within the NROD that existed prior to the time the overlay district was applied to a subject property are allowed to continue but cannot expand further into the overlay district.

B. New lots that would have their buildable areas for new development within the NROD are prohibited.

C. The dumping of materials of any kind is prohibited except for placement of fill as provided in subsection D. below. The outside storage of materials of any kind is prohibited unless they existed before the overlay district was applied to a subject property. Uncontained areas of hazardous materials as defined by the Oregon Department of Environmental Quality (ORS 466.005) are also prohibited.

D. Grading, the placement of fill in amounts greater than ten cubic yards, or any other activity that results in the removal of more than ten percent of the existing native vegetation on any lot within the NROD is prohibited, unless part of an approved development activity.

Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.080 - Uses allowed outright (exempted).

The following uses are allowed within the NROD and do not require the issuance of an NROD permit:

A. Stream, wetland, riparian, and upland restoration or enhancement projects as authorized by the City.

B. Farming practices as defined in ORS 215.203 and farm uses, excluding buildings and structures, as defined in ORS 215.203.

C. Utility service using a single utility pole.

D. Boundary and topographic surveys leaving no cut scars greater than three inches in diameter on live parts of native plants listed in the Oregon City Native Plant List.

E. Soil tests, borings, test pits, monitor well installations, and other minor excavations necessary for geotechnical, geological or environmental investigation, provided that disturbed areas are restored to pre-existing conditions as approved by the Community Development Director.

F. Trails meeting all of the following:

1. Construction shall take place between May 1 and October 30 with hand held equipment;

2. Widths shall not exceed forty-eight inches and trail grade shall not exceed twenty percent;

3. Construction shall leave no scars greater than three inches in diameter on live parts of native plants;

4. Located no closer than twenty-five feet to a wetland or the top of banks of a perennial stream, or no closer than ten feet of an intermittent stream;

5. No impervious surfaces; and

6. No native trees greater than one-inch in diameter may be removed or cut, unless replaced with an equal number of native trees of at least two-inch diameter and planted within ten feet of the trail.

G. Land divisions provided they meet the following standards, and indicate the following on the final plat:

1. Lots shall have their building sites (or buildable areas) entirely located at least five feet from the NROD boundary shown on the City's adopted NROD map. For the purpose of this subparagraph, "building site" means an area of at least 3,500 square feet with minimum dimensions of forty feet wide by forty feet deep;

2. All public and private utilities (including water lines, sewer lines or drain fields, and stormwater disposal facilities) are located outside the NROD;

3. Impervious streets, driveways and parking areas shall be located at least ten feet from the NROD; and

4. The NROD portions of all lots are protected by:
a. A conservation easement; or
b. A lot or tract created and dedicated solely for unimproved open space or conservation purposes.
H. Site Plan and Design Review applications where all new construction is located outside of the NROD boundary shown on the City's adopted NROD map, and the NROD area is protected by a conservation easement approved in form by the City.
I. Routine repair and maintenance of existing structures, roadways, driveways and utilities.
J. Replacement, additions, alterations and rehabilitation of existing structures, roadways, utilities, etc., where the ground level impervious surface area is not increased.
K. Measures approved by the City of Oregon City to remove or abate nuisances or hazardous conditions.
~~1.~~ L. Tree Removal. The Community Development Director may permit the removal of any tree determined to be a dead, hazardous, or diseased tree as defined in OCMC 17.04. Any tree that is removed in accordance with this Section (L) shall be replaced with a new tree of at least ½-inch caliper or at least six foot overall height. An exception to this requirement may be granted if the applicant demonstrates that a replacement tree has already been planted in anticipation of tree removal, or if the existing site conditions otherwise preclude tree replacement (due to existing dense canopy coverage or other ecological reasons).
~~2.~~ The replacement tree(s) shall be located in the general vicinity of the removed tree(s), somewhere within NROD on the property. The replacement tree(s) shall be identified on the Oregon City Native Plant List or other locally adopted plant list (e.g. Metro or Portland). The property owner shall ensure that the replacement tree(s) survives at least two years beyond the date of its planting.
M. Planting of native vegetation and the removal of non-native, invasive vegetation (as identified on the Oregon City Native Plant List or other locally adopted plant list (e.g. Metro or Portland), or as recommended by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, arboriculture, horticulture, wildlife biology, botany, hydrology or forestry), and removal of refuse and fill, provided that:
1. All work is done using hand-held equipment;
2. No existing native vegetation is disturbed or removed; and
3. All work occurs outside of wetlands and the top-of-bank of streams.
N. Activities in which no more than one hundred square feet of ground surface is disturbed outside of the bankfull stage of water bodies and where the disturbed area is restored to the pre-construction conditions, notwithstanding that disturbed areas that are predominantly covered with invasive species shall be required to remove the invasive species from the disturbance area and plant trees and native plants pursuant to this Chapter.
O. New fences meeting all of the following:
1. No taller than three and a half feet and of split rail or similar open design.;
2. Two feet width on both sides of fence shall be planted or seeded with native grasses, shrubs, herbs, or trees to cover any bare ground;
3. Six inches of clearance from ground level;
4. Fence posts shall be placed outside the top-of-bank of streams and outside of delineated wetlands.
P. Gardens, fences and lawns within the NROD that existed prior to the time the overlay district was applied to a subject property are allowed to be maintained but cannot expand further into the overlay district.

Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future proposals are expected to include some of the uses on this list. Future detailed development plan applications will be required to show compliance with this standard.

17.49.090 - Uses allowed under prescribed conditions.
The following uses within the NROD are subject to the applicable standards listed in OCMC 17.49.100 through 17.49.190 pursuant to a Type II process:
A. Alteration to existing structures within the NROD when not exempted by OCMC 17.49.080, subject to OCMC 17.49.130.
B. A residence on a highly constrained vacant lot of record that has less than three thousand square feet of buildable area, with minimum dimensions of fifty feet by fifty feet, remaining outside the NROD portion of the property, subject to the maximum disturbance allowance prescribed in OCMC 17.49.120.A.
C. A land division that would create a new lot for an existing residence currently within the NROD, subject to OCMC 17.49.160.
D. Land divisions when not exempted by OCMC 17.49.080, subject to the applicable standards of OCMC 17.49.160.

E. Trails/pedestrian paths when not exempted by OCMC 17.49.080, subject to OCMC 17.49.170 (for trails) or OCMC 17.49.150 (for paved pedestrian paths).
F. New roadways, bridges/creek crossings, utilities or alterations to such facilities when not exempted by OCMC 17.49.080.
G. Roads, bridges/creek crossings Subject to OCMC 17.49.150.
H. Utility lines subject to OCMC 17.49.140.
I. Stormwater detention or pre-treatment facilities subject to OCMC 17.49.155.
J. Institutional, industrial or commercial development on a vacant lot of record situated in an area designated for such use that has more than seventy-five percent of its area covered by the NROD, subject to OCMC 17.49.120.B.
K. City, county and state capital improvement projects, including sanitary sewer, water and storm water facilities, water stations, and parks and recreation projects.
L. Non-hazardous tree removal that is not exempted pursuant to OCMC 17.49.080.K.
M. Fences that do not meet the standards for exemption pursuant to OCMC 17.49. 080.O.4.

Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future proposals are expected to include the some of the uses on this list. Future detailed development plan applications will be required to show compliance with this standard.

17.49.100 - General development standards.
The following standards apply to all Uses Allowed under Prescribed Conditions within the NROD with the exception of rights of ways (subject to OCMC 17.49.150), trails (subject to OCMC 17.49.170), utility lines (subject to OCMC 17.49.140), land divisions (subject to OCMC 17.49.160), and mitigation projects (subject to OCMC 17.49.180 or 17.49.190):
A. Native trees shall be preserved unless they are located within ten feet of any proposed structures or within five feet of new driveways, or if deemed not wind-safe by a certified arborist. Trees listed on the Oregon City Nuisance Plant List or Prohibited Plant List are exempt from this standard and may be removed. A protective covenant shall be required for any native trees that remain;
B. The Community Development Director may allow the landscaping requirements of the base zone, other than landscaping required for parking lots, to be met by preserving, restoring and permanently protecting habitat on development sites in the Natural Resource Overlay District.
C. All vegetation planted in the NROD shall be native and listed on the Oregon City Native Plant List or other locally adopted plant list (e.g. Metro or Portland), or as recommended by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, arboriculture, horticulture, wildlife biology, botany, hydrology or forestry);
D. Grading is subject to installation of erosion control measures required by the City;
E. The minimum front, street, or garage setbacks of the base zone may be reduced to any distance between the base zone minimum and zero in order to minimize the disturbance area within the NROD portion of the lot;
F. Any maximum required setback in any zone, such as for multi-family, commercial or institutional development, may be increased to any distance between the maximum and the distance necessary to minimize the disturbance area within the NROD portion of the lot;
G. Fences in compliance with OCMC 17.49.080.N;
H. Exterior lighting shall be placed or shielded so that they do not shine directly into resource areas;
I. If development will occur within the one hundred-year floodplain, the standards of OCMC 17.42 shall be met; and
J. Mitigation of impacts to the regulated buffer is required, subject to OCMC 17.49.180 or 17.49.190.

Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.110 - Width of vegetated corridor.
A. Calculation of Vegetated Corridor Width within City Limits. The NROD consists of a vegetated corridor measured from the top of bank or edge of a protected habitat or water feature. The minimum required width is the amount of buffer required on each side of a stream, or on all sides of a feature if non-linear. The width of the vegetated corridor necessary to adequately protect the habitat or water feature is specified in Table 17.49.110.

Table 17.49.110

Protected Water Feature Type (see definitions)	*Slope Adjacent to Protected Water Feature*	*Starting Point for Measurements from Water Feature*	*Width of Vegetated Corridor (see Note 1)*
Anadromous fish-bearing streams	*Any slope*	*• Edge of bankfull flow*	*200 feet*
Intermittent streams with slopes less than 25 percent and which drain less than 100 acres	*< 25 percent*	*• Edge of bankfull flow*	*15 feet*
All other protected water features	*< 25 percent*	*•Edge of bankfull flow • Delineated edge of Title 3 wetland*	*50 feet*
	≥25 percent for 150 feet or more (see Note 2)		*200 feet*
	≥25 percent for less than 150 feet (see Note 2)		*Distance from starting point of measurement to top of ravine (break in ≥25 percent slope) (See Note 3) plus 50 feet.*

Notes:

1. Required width (measured horizontally) of vegetated corridor unless reduced pursuant to the provisions of OCMC 17.49.120.

2. Vegetated corridors in excess of fifty feet apply on steep slopes only in the uphill direction from the protected water feature.

3. Where the protected water feature is confined by a ravine or gully, the top of the ravine is the break in the ≥25 percent slope.

Finding: Not applicable for the General Development Plan. No development is proposed at this time. The applicant did not submit a Verification request to establish the required width of the vegetated corridor for each protected water feature**.** Future detailed development plan applications will be required to show compliance with this standard.

B. Habitat Areas within City Parks. For habitat and water features identified by Metro as regionally significant which are located within city parks, the NROD Boundary shall correspond to the Metro Regionally Significant Habitat Map.

Finding: Not applicable for the General Development Plan. No development is proposed at this time. The applicant did not submit a Verification request to establish the required width of the vegetated corridor for each protected water feature**.** Future detailed development plan applications will be required to show compliance with this standard.

C. Habitat Areas outside city limit/within UGB. For habitat and water features identified by Metro as regionally significant which are located outside of the city limits as of the date of adoption of this ordinance, the minimum corridor width from any non-anadromous fish bearing stream or wetland shall be fifty feet.

Finding: Not applicable. The project site is within the City limits and includes mapped NROD areas.

17.49.120 - Maximum disturbance allowance for highly constrained lots of record.

Finding: Not applicable. The project site is not a highly constrained lot of record. Future developments will be reviewed under other sections of OCMC 17.49.

17.49.130 - Existing development standards.
In addition to the General Development Standards of OCMC 17.49.100, the following standards apply to alterations and additions to existing development within the NROD, except for trails, rights of way, utility lines, land divisions and mitigation projects. As of June 1, 2010, applicants for alterations and additions to existing development that are not exempt pursuant to OCMC 17.49.080.J. shall submit a Type II or Type III application pursuant to this section.
Mitigation is required, subject to OCMC 17.49.180 or 17.49.190.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.140 - Standards for utility lines.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.150 - Standards for vehicular or pedestrian paths and roads.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.155 - Standards for stormwater facilities.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.160 - Standards for land divisions.
Other than those land divisions exempted by OCMC 17.49.070.G., new residential lots created within the NROD shall conform to the following standards.
A. For a lot for an existing residence currently within the NROD. This type of lot is allowed within the NROD for a residence that existed before the NROD was applied to a subject property. A new lot for an existing house may be created through a partition or subdivision process when all of the following are met:
1. There is an existing house on the site that is entirely within the NROD area; and
2. The existing house will remain; and
3. The new lot is no larger than required to contain the house, minimum required side setbacks, garage, driveway and a twenty-foot deep rear yard, with the remaining NROD area beyond that point protected by a conservation easement, or by dedicating a conservation tract or public open space.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

B. Protection and ownership of NROD areas in land divisions:
1. New partitions shall delineate the NROD area either as a separate tract or conservation easement that meets the requirements of subsection 2. of this section.
2. Prior to final plat approval, ownership and maintenance of the NROD area shall be identified to distinguish it from the buildable areas of the development site. The NROD area may be identified as any one of the following:
a. A tract of private open space held by the homeowners association;
b. For residential land divisions, a tract of private open space held by a homeowner's association subject to an easement conveying stormwater and surface water management rights to the City and preventing the owner of the tract from activities and uses inconsistent with the purpose of this document;
c. Public open space where the tract has been dedicated to the City or other governmental unit;

d. Conservation easement area pursuant to OCMC 17.49.180.G. and approved in form by the Community Development Director; or
e. Any other ownership proposed by the owner and approved by the Community Development Director.
f. NROD tracts shall be exempt from minimum frontage requirements, dimensional standards of the zoning designation, street frontage requirements, or flag lot standards pursuant to OCMC 16.08.053.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. The applicant has indicated that the NROD areas will be placed in a separate tract. Future detailed development plan applications will be required to show compliance with this standard.

17.49.170 - Standards for trails.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.180 - Mitigation standards.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.190 - Alternative mitigation standards.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.200 - Adjustment from standards.
Finding: Not applicable. The applicant has not requested an adjustment to the standards.

17.49.210 - Type II development permit application.
Unless otherwise directed by the NROD standards, proposed development within the NROD shall be processed as a Type II development permit application. All applications shall include the items required for a complete application by OCMC 17.49.220—17.49.230, and 17.50.080 as well as a discussion of how the proposal meets all of the applicable NROD development standards in OCMC 17.49.100—17.49.170.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.220 - Required site plans.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.230 - Mitigation plan report.
Finding: Not applicable for the General Development Plan. No development is proposed at this time. Future detailed development plan applications will be required to show compliance with this standard.

17.49.240 - Density transfer.
The NROD allocates urban densities to the non-NROD portions of properties located partially within the NROD, generally resulting in a substantial increase in net development potential.
For lots of record that are located within the NROD, density transfer is allowed, subject to the following provisions:

A. Density may be transferred from the NROD to non-NROD portions of the same property or of contiguous properties within the same development site;
B. The residential transfer credit shall be as follows: for new residential partitions and subdivisions, one-third of the area of the NROD tract or conservation easement area may be added to the net developable area outside of the tract or conservation easement area within the boundary of the development site in order to calculate the allowable number of lots.
Finding: Complies with Condition. The applicant states:

> **"**As the GDP includes approximately 14.3 acres of mapped NROD land to be located within open spaces, a density transfer is planned to be utilized. NROD density transfers are regulated by OCMC 17.49.240. The standards included allow for a percentage of the NROD area to be considered towards the project's net developable area. This standard is provided separate to the density modifications permitted through the General Development Plan process (110% of the base zoning density)."

The proposed area of 14.3 acres includes areas proposed to be conserved as open space; these areas include mapped NROD areas as well as land adjacent to the NROD areas that the applicant proposes as open space. Future detailed development plan applications will include NROD Verifications to determine the actual NROD boundaries. The applicant may include additional areas in the NROD to be counted in the density transfer calculations if future DDP applications can demonstrate in a professional report that the land consists of one or more of the following:

- NROD overlay as verified through 17.49.250
- Upland habitat directly adjacent to the NROD boundary
- Other land that provides ecological benefits or wildlife habitats and is directly adjacent to the NROD boundary

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

C. Permitted Modifications to Residential Dimensional Standards. In order to allow for a transfer of density pursuant to subsection B. above, the dimensional standards of the base zone may be modified in order minimize disturbance to the NROD. The permissible reductions are specified in Tables 17.49.240C.—17.49.240D.
D. The applicant shall demonstrate that the minimum lot size of the underlying zone has been met. The area of the NROD in subsection B. above that is used to transfer density may be included in the calculation of the average minimum lot size.
E. The applicant may choose to make the adjustments over as many lots as required. Table 17.49.240 A: Lot Size Reductions Allowed for NROD Density Transfers

ZONE	*Min. Lot Size (%)*	*Min. Lot Width*	*Min. Lot Depth*
R-10	*5,000 sq. feet*	*50'*	*65'*
R-8	*4,000 sq. feet*	*45'*	*60'*
R-6	*3,500 sq. feet*	*35'*	*55'*
R-5	*3,000 sq. feet*	*30'*	*50'*
R-3.5	*1,800 sq. feet*	*20'*	*45'*

Table 17.49.240 B: Reduced Dimensional Standards for Detached Single-Family Residential Units

Size of Reduced Lot	*Front Yard Setback*	*Rear Yard Setback*	*Side yard Setback*	*Corner Side*	*Lot Coverage*

8,000—9,999 square feet	*15 feet*	*20 feet*	*7/9 feet*	*15 feet*	*40%*
6,000—7,999 square feet	*10 feet*	*15 feet*	*5/7 feet*	*15 feet*	*40%*
4,000—5,999 square feet	*10 feet*	*15 feet*	*5/5 feet*	*10 feet*	*40%*
1,800—3,999 square feet	*5 feet*	*15 feet*	*5/5 feet*	*10 feet*	*55%*

Table 17.49.240 C: Reduced Dimensional Standards for Single-Family Attached or Two-Family Residential Units

Size of Reduced Lot	*Front Yard Setback*	*Rear Yard Setback*	*Side yard Setback*	*Corner Side*	*Lot Coverage*
3,500—7,000 square feet	*10 feet*	*15 feet*	*5/0* feet*	*10 feet*	*40%*
1,800—3,499 square feet	*5 feet*	*15 feet*	*5/0* feet*	*10 feet*	*55%*

**0 foot setback is only allowed on single-family attached units*

F. For density transfers on properties zoned Commercial, Institutional, Industrial or Multi-Family, the transfer credit ratio is ten thousand square feet per acre of land within the NROD;

G. The area of land contained in the NROD area may be excluded from the calculations for determining compliance with minimum density requirements of the land division code.

H. The owner of the transferring property shall execute a covenant that records the transfer of density. The covenant shall be found to meet the requirements of this section and be recorded before building permits are issued; and

I. All other applicable development standards, including setbacks, building heights, and maximum lot coverage shall continue to apply when a density transfer occurs.

Finding: Complies with condition. A density transfer is possible for this development, as the applicant has demonstrated in responses to OCMC 17.49.240. In the R-10 zone, the applicant has shown lots of approximately 4,000 square feet. This approach is explained by taking advantage of the NROD density transfer provisions which allow for reduction in the lots size of adjacent lots to a minimum of 5,000 square feet under OCMC 17.49.240 coupled with an additional 20% lot reduction under the master plan adjustment authorization of OCMC 17.65.070.

The intent and plain language of OCMC 17.65.070 is to allow for a 20% adjustment to the base or "underlying" zone dimensional standards, which means, an R-10 lot could be reduced from 10,000 sf to 8,000 square feet. The adjustment cannot be applied to allow a lot sized pursuant to the maximum density transfer or 5,000 square foot lot to be reduced to 4,000 square feet. Thus, the applicant shall ensure that lots in the R-10 zone are 5,000 square feet or more in area for future detailed development plan applications that show compliance with OCMC 17.49.240 for NROD density transfer. If density transfer standards cannot be met in future detailed development plan applications, the minimum size for lots within the R-10 zone will be 8,000 square feet, (assuming the requested 20% adjustment is approved).

The applicant may utilize the setback reductions in Table 17.49.240 for future detailed development plans; however, any approved adjustments to dimensional standard will not give the applicant permission to go below the minimum setbacks allowed through a density transfer.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

17.49.250 - Verification of NROD boundary.

The NROD boundary may have to be verified occasionally to determine the true location of a resource and its functional values on a site. This may be through a site specific environmental survey or a simple site visit in those cases where existing information demonstrates that the NROD significance rating does not apply to a site-specific area. Applications for development on a site located in the NROD area may request a determination that the subject site is not in an NROD area and

therefore is not subject to the standards of OCMC 17.49.100. Verifications shall be processed as either a Type I or Type II process.
17.49.255 - Type I verification.
A. Applicants for a determination under this section shall submit a site plan meeting the requirements of OCMC 17.49.220, as applicable.
B. An applicant may request a Type I Verification determination by the Community Development Director. Such requests may be approved provided that there is evidence substantiating that all the requirements of this chapter relative to the proposed use are satisfied and demonstrates that the property also satisfies the following criteria, as applicable:
1. No soil, vegetation, hydrologic features have been disturbed;
2. No hydrologic features have been changed;
3. There are no man-made drainage features, water marks, swash lines, drift lines present on trees or shrubs, sediment deposits on plants, or any other evidence of sustained inundation.
4. The property does not contain a wetland as identified by the City's Local Wetland Inventory or Water Quality and Flood Management Areas map.
5. There is no evidence of a perennial or intermittent stream system or other protected water feature. This does not include established irrigation ditches currently under active farm use, canals or manmade storm or surface water runoff structures or artificial water collection devices.
6. Evidence of prior land use approvals that conform to the Natural Resource Overlay District, or which conformed to the Water Quality Resources Area Overlay District that was in effect prior to the current adopted NROD (Ord. 99-1013).
7. There is an existing physical barrier between the site and a protected water feature, including:
a. Streets, driveways, alleys, parking lots or other approved impervious areas wider than fifteen feet and which includes drainage improvements that are connected to the City storm sewer system, as approved by the City.
b. Walls, buildings, drainages, culverts, topographic features or other structures which form a physical barrier between the site and the protected water features, as approved by the City.
C. If the City is not able to clearly determine, through the Type I verification process that the applicable criteria subsection B.1.—B.7 above are met, the verification application shall be denied. An applicant may then opt to apply for a verification through the Type II process defined below.
17.49.260. - Type II verification.
Verifications of the NROD which cannot be determined pursuant to the standards of OCMC 17.49.255 may be processed under the Type II permit procedure.
A. Applicants for a determination under this section shall submit a site plan meeting the requirements of OCMC 17.49.220 as applicable.
B. Such requests may be approved provided that there is evidence that demonstrates in an environmental report prepared by one or more qualified professionals with experience and credentials in natural resource areas, including wildlife biology, ecology, hydrology and forestry, that a resource function(s) and/or land feature(s) does not exist on a site-specific area.
C. Verification to remove a recently developed area from the NROD shall show that all of the following have been met:
1. All approved development in the NROD has been completed;
2. All mitigation required for the approved development, located within the NROD, has been successful; and
3. The previously identified resources and functional values on the developed site no longer exist or have been subject to a significant detrimental impact.

Finding: Complies with condition. The applicant did not request Natural Resource Overlay District Verification Review as part of this application. Thus, NROD areas shown on the maps are not formally verified and are subject to change through the Detailed Development Plan review process. A preliminary NROD study was submitted with this application, which included the following information:

- A few parts of the overall site that are mapped within the NROD Overlay were not included in the NROD study area. The resources in these areas could affect the subdivision layout and overall development intensity in those portions of the site. Master Plan amendments may be required with future detailed development plans.
- Two streams and one ephemeral stream were delineated by the applicant but are not mapped within the NROD.

- The identified streams are proposed to be protected by a 50+ foot vegetated corridor as required in OCMC 17.49. No parts of the NROD overlap with any proposed residential development except for three residential lots in the SE corner of the site that have partial NROD in their backyard areas.
- The proposal will include some limited disturbance in the NROD for a pedestrian path and pedestrian bridge over the stream.
- Stream delineations will be submitted with detailed development plan applications to verify the exact location of the NROD boundary
- Four wetlands outside of the City's NROD boundary were found. These are not protected by NROD and the applicant will obtain any required permits from the Department of State Lands, who regulates these wetlands.

The applicant proposes future NROD boundary Verifications through a Type I process. Because it is possible that wetlands may be found on sites that have not been studied yet, which would result in an expansion of the NROD boundary, a Type II Verification of the NROD will be needed for all phases after proposed Phase 1 excepting the area included in proposed Phase III which does not contain any mapped NROD and therefore does not require an NROD verification. See Exhibit 9 for additional discussion of Charman Creek NROD and conditions for future NROD reviews.

Any Natural Resources Overlay District areas impacted by development will be reviewed for compliance with this section either before or at the DDP level. This could involve mitigation requirements and/or a public notice of the delineation report. Conditions of approval regarding required future NROD review are found in OCMC 17.65. of this staff report.

Staff has determined that it is possible, likely and reasonable that the applicant shall meet this standard through the Conditions of Approval.

17.49.265 - Corrections to violations.
Finding: Not applicable. No violations are known to have occurred.

<u>CHAPTER 17.60 VARIANCES</u>

17.60.020 - Variances—Procedures.
A. A request for a variance shall be initiated by a property owner or authorized agent by filing an application with the city recorder. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. When relevant to the request, building plans may also be required. The application shall note the zoning requirement and the extent of the variance requested. Procedures shall thereafter be held under Chapter 17.50. In addition, the procedures set forth in subsection D. of this section shall apply when applicable.
B. A nonrefundable filing fee, as listed in OCMC 17.50.080, shall accompany the application for a variance to defray the costs.

Finding: Applies. The applicant has submitted a variance request, with required fees, as follows:

> "Oregon City Municipal Code 17.65.050.C.9 of the General Development Plan code requires that a mix of residential uses be provided for General Development Plan applications, with no single use exceeding 75 percent of the total. The Preliminary Plans provide a mix of attached and detached single-family residential units to meet the

criterion. In doing so, the need for a lot size variance to accommodate appropriately sized attached housing was identified.

"The lots, as adjusted (20 percent reduction to dimensional standards) through the Master Plan process, meet the lot width (25 feet × 0.80 = 20 feet) requirements of the zone. Twenty-foot lot widths are typical of attached single-family housing projects. However, the lot sizes would not meet the single-family attached standards for the R-5 zone (3,500 square feet × 0.80 = 2,800 square feet); the lots planned would range from 1,800 square feet for those interior lots to 2,500 square feet for end units and single-family attached corner lots. The R5 dimensional standards do not support typical attached housing townhome product types because of the combination of required lot widths and areas.

The resulting lots, if the standard is met, would be excessively long. Lots would be required to be 140 feet deep to meet the 2,500 square foot lot size requirement, an illogical requirement for attached housing."

In a Master Plan review, the applicant can request adjustments to standards. OCMC 17.65.070 limits adjustments to dimensional standards to just 20% below the standard. The applicant proposes a difference of more than 20%; thus, a variance is required.

In the event that the requested variance is denied, the minimum lot size for attached dwellings in the July 20, 2021 version of the Municipal Code is 3,500 square feet, and with a possible 20% adjustment to 2,800 square feet. Therefore, the number of attached units that could be developed on the same site area would be reduced from the proposed 139 units, as demonstrated in the simplified calculation below:

WITH VARIANCE: 139 lots of 1800 square feet each = 250,200 square feet total site area
WITHOUT A VARIANCE: 250,200 square feet divided by 2,800 square feet per lot = 89 lots

Without a variance, the resulting reduction in the number of lots possible would likely not meet the density requirements for housing in the Park Place Concept Plan. The applicant would need to make major revisions to the plan in order to provide the needed units in the Concept Plan. These revisions could come in many different forms and could be reviewed under a Master Plan amendment or a Detailed Development Plan, depending on how the Planning Commission decision is written. For example, the applicant could take much of the area that is currently proposed for detached lots of 4,000 to 5,000 square feet and convert it to lots for attached dwellings with a lot area of 2,800 to 3,500 square feet. This action would reduce the total number of detached dwellings and increase the total number of attached dwellings in the development. Another option could be to use middle housing development codes, expected to be adopted by the City in June 2022, as discussed in the following paragraphs.

For future detailed development plans and building permits, the applicant may choose to use the code in place at the time of General Development Plan submittal (July 2021) or the code in effect when submission of development applications occurs. The City plans to adopt middle housing code provisions in June of 2022, which is before the applicant would be applying for any detailed development plans. These code amendments are required to comply with House Bill 2001 and will allow for development of middle housing types such as duplexes, triplexes, quadplexes, townhomes, and cottage clusters in areas currently zoned for detached single dwellings. One of the statutory requirements that is being adopted is for townhomes to be permitted on 1500-square foot lots.

The applicant would have the ability to rely on these new provisions for any individual detailed development plan application, or any individual building permit for a lot created in the development. Thus, it may be possible for the applicant to build townhomes on 1500-square foot lots, or build other middle housing types that would suffice to meet the minimum number of units needed for consistency with the Park Place Concept Plan. The applicant will continue to be held to mobility standards and conditions of approval for transportation review to ensure that the traffic impacts do not go beyond approved levels.

C. Before the planning commission may act on a variance, it shall hold a public hearing thereon following procedures as established in Chapter 17.50. A Variance shall address the criteria identified in OCMC 17.60.030, Variances — Grounds.

Finding: Complies as Proposed. The variance will be reviewed by the Planning Commission at a public hearing.

D. Minor variances, as defined in subsection E. of this section, shall be processed as a Type II decision, shall be reviewed pursuant to the requirements in OCMC 17.50.030B., and shall address the criteria identified in OCMC 17.60.030, Variance — Grounds.
E. For the purposes of this section, minor variances shall be defined as follows:
1. Variances to setback and yard requirements to allow additions to existing buildings so that the additions follow existing building lines;
2. Variances to width, depth and frontage requirements of up to twenty percent;
3. Variances to residential yard/setback requirements of up to twenty-five percent;
4. Variances to nonresidential yard/setback requirements of up to ten percent;
5. Variances to lot area requirements of up to five percent;
6. Variance to lot coverage requirements of up to twenty-five percent;
7. Variances to the minimum required parking stalls of up to five percent; and
8. Variances to the floor area requirements and minimum required building height in the mixed-use districts.
9. Variances to design and/or architectural standards for single family dwellings, duplexes, single-family attached dwellings, internal conversions, accessory dwelling units, and 3-4 plexes in OCMC 17.14, 17.16, 17.20, 17.21, and 17.22.

Finding: Not applicable. The requested variance exceeds the threshold for a minor variance.

17.60.030 - Variance—Grounds.
A variance may be granted only in the event that all of the following conditions exist:

> *A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;*

Finding: Complies as Proposed. The applicant points out that the City has proposed to amend its own code in upcoming months to revise the minimum lot size for townhomes, which are synonymous with attached single family homes. The City's plans to change the minimum lot size to 1500 square feet will comply with state law as well as provide a more practical lot size for attached homes. As the applicant points out, a lot depth of 140+ feet would be required to maintain the current minimum lot size. Decreasing the minimum lot size to 1800 square feet, which is the applicant's request, would mean that lot depth would be 90 feet for a 20-foot-wide lot. A 90-foot lot depth is greater than the minimum lot depth in all of Oregon City's residential zones. For example, the minimum lot depth in the R-10 zone is 80 feet.
A typical townhome footprint is 20' x 45', which would mean that the yard space in front would be likely 5-20 feet in depth and in the rear, 20 to 40 feet in depth. These dimensions are in line with the typical medium density development patterns.

With the overall reduction in the lot size, the impacts would include additional impervious surface, less open space, and more shadows (due to the smaller yard areas). However, none of these impacts would be felt by pre-existing development in the area because the attached lots are proposed in internal areas of the GDP area and not on the perimeters.

- The applicant's proposal addresses stormwater impacts from the greater impervious surface, by accommodating all stormwater into a system to manage and detain stormwater through planters and detention ponds on site.
- The applicant's proposal addresses open space impacts by providing ample open space including a public park and numerous natural areas where streams and forested hillsides are maintained.
- The variance does have the chance of reducing the amount of light on adjacent properties, however, with height limits, setbacks, and lot coverage standards in place, there would not be enough impact to be considered "substantial damage."

The lot area change will not substantially or adversely affect the neighboring properties from accessing light, air, safe access, or any other desirable or necessary qualities.

B. That the request is the minimum variance that would alleviate the hardship;

Finding: Complies as Proposed. The applicant states:

> "The variance to single-family attached residential lot standards required by the Master Plan is the minimum needed to alleviate the hardship. Single-family detached residential lots will not be affected by the variance, and the reduced standard will not apply to detached lots. The minimum lot requirement of 2,800 square feet per lot (per the adjusted standard established by the General Development Plan) does not make sense when applied to shared-wall fee simple townhomes and other attached residential structures.
> City staff is planning to reduce the minimum standard to 1,500 square feet as part of the future House Bill 2001 housing code update in the near future (likely prior to June 2022). Therefore, granting the variance makes sense and will allow for residential lots that do not exceed the standard anticipated to be created in the near future. This criterion is met."

With the revised layout proposed on 8/11/2022, the applicant has proposed a density of 9.2 units per net developable acre, but has no longer proposed an increase in density under the Master Plan provisions of OCMC 17.65, so the overall achieved units resulted in 426 single family units and 14 additional mixed use or multi-family units.

The Park Place Concept Plan includes 1,459 total residential units, with 937 in the North Village area. The Park Place Crossing Master Plan area encompasses approximately 50% of the acreage of the North Village area. The number of units proposed will be consistent with the Park Place Concept Plan as well as within the minimum and maximum densities of the zone.

The applicant has proposed 440 units, which is 47% of the total number of units planned in the North Village. Based on zoning alone, applying the minimum density standard would result in 318 units in the project area. This would only provide 34% of the total 937 units required in the North Village, and would put a burden on the remaining properties in the North Village to develop at densities that may be infeasible and/or inconsistent with the Concept Plan itself.

It is important to note that the City anticipated further rezoning of at least some of the land to achieve the require Concept Plan densities, expecting that some of the R-5 zone would need to be rezoned to R-3.5. The applicant has not proposed such a zone change, but has instead included attached single family uses in the R-5 zone, which have a higher maximum density standard and allows the applicant to provide the needed density without a zone change. The applicant has further requested an adjustment to maximum density of approximately 4%, which is allowed by through a Master Plan process and further serves to allow the applicant to achieve the density anticipated in the Concept Plan.

The proposed variance allows the applicant to develop additional attached dwellings in the area to meet the density in the Concept Plan while also providing ample open spaces.

C. Granting the variance will equal or exceed the purpose of the regulation to be modified.

Finding: The applicant states:

> "Single-family attached residential homes or "Missing Middle" housing, have been identified as an important housing type to provide as part of a City's needed housing. The variance allows attached residences, required by the General Development Plan, to be constructed to a reasonable standard expected to be allowed in the near future. Without a variance to these standards, lots for single-family attached homes are not reasonably possible due to the topographic constraints, need for alleys, and additional constraints present within Park Place Crossing. With the variance, these homes can be feasibly constructed without making unreasonably long lots (140 feet long at 20 feet in width). The adjustment allows for Park Place Crossing to provide the necessary permitted density and other standards and not create unnecessary unusable space."

The purpose of the regulation for minimum lot size is to provide usable open spaces, separation between buildings, and to maintain the required density levels in the zone. The applicant is providing additional open space elsewhere in the development and is within the overall minimum and maximum densities for the zoning districts on site, if the Planning Commission approves the density adjustment. The purpose of the R-5 zone and Medium density residential chapter is to provide a zone for a variety of housing types. The requested variance supports the attached housing type by allowing for a reasonably-sized lot depth.

D. Any impacts resulting from the adjustment are mitigated;

Finding: Complies as Proposed. With the overall reduction in the lot size, the impacts would include additional impervious surface, less open space, and more shadows (due to the smaller yard areas).

- The applicant's proposal addresses stormwater impacts from the greater impervious surface, by accommodating all stormwater into a system to manage and detain stormwater through planters and detention ponds on site.
- The applicant's proposal addresses open space impacts by providing ample open space including a public park and numerous natural areas where streams and forested hillsides are maintained.
- The variance does have the chance of reducing the amount of light on adjacent properties, however, with height limits, setbacks, and lot coverage standards in place, there would not be significant impact that would require mitigation.

E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance; and

Finding: Complies as Proposed. The applicant states:

> "There are no known practical alternatives to meet the minimum lot area requirements of the OCMC without creating lots that are ±50 feet deeper than currently planned. Meeting the lot area requirements without a variance would either create an excessively deep home or unused space at either the front or rear of the lots. These alternatives take away from the aesthetic quality of the neighborhood, create unnecessarily lengthy yards, taking away from area which could otherwise be used for homes, or create larger homes than necessary, which increases their costs. Without a variance to these standards, lots for single-family attached homes are not reasonably possible due to the topographic constraints, need for alleys, and additional constraints present within Park Place Crossing."

Staff concurs with the applicant and adds that attached single family units are permitted in groups of up to 6 attached units per OCMC 17.16.030.E. Since standard attached units are 18 to 24 feet in width, the applicant's analysis of the lot depth is correct in that unusually deep yards would be required.

F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.

Finding: Complies as Proposed. The applicant points out that the City is planning to amend its own code in upcoming months to revise the minimum lot size for townhomes, which are synonymous with attached single family homes. The City's plans to change the minimum lot size to 1500 square feet will comply with state law as well as provide a more practical lot size for attached homes.

The Comprehensive Plan supports a variety of housing types as well as housing that is less costly, with the following goals and policies:

- Goal 10.1 Provide for the planning, development and preservation of a variety of housing types and lot sizes.
- 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.

In addition, the location of the attached housing lots within the development does not directly border any existing, established neighborhoods and will thus not have direct impacts on those areas.

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.
Finding: Complies as Proposed. A pre-application conference was held with City staff on May 5, 2021, prior to submittal of this application in July 2021.

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 applicant held a meeting with the Park Place Neighborhood Association on May 17, 2021.

17.50.090 - Public notices.
All public notices issued by the city announcing applications or public hearings of quasi-judicial or legislative actions, shall comply with the requirements of this section.
B. Notice of Public Hearing on a Type III or IV Quasi-Judicial Application. Notice for all public hearings concerning a quasi-judicial application shall conform to the requirements of this subsection. At least twenty days prior to the hearing, the city shall prepare and send, by first class mail, notice of the hearing to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. The city shall also publish the notice on the city website within the city at least twenty days prior to the hearing. Pursuant to

*OCMC 17.50.080.H, the applicant is responsible for providing an accurate and complete set of mailing labels for these property owners and for posting the subject property with the city-prepared notice in accordance with OCMC **17.50.100**. Notice of the application hearing shall include the following information:*
1.The time, date and location of the public hearing;
2. Street address or other easily understood location of the subject property and city-assigned planning file number;
3. A description of the applicant's proposal, along with a list of citations of the approval criteria that the city will use to evaluate the proposal;
4. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing and that a staff report will be prepared and made available to the public at least seven days prior to the hearing;
5. A statement that any issue which is intended to provide a basis for an appeal to the city commission shall be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the city and all parties to respond to the issue;
6. The notice shall state that a city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal;
7. A statement that the application and all supporting materials and evidence submitted in support of the application may be inspected at no charge and that copies may be obtained at reasonable cost at the planning division offices during normal business hours; and
8. The name and telephone number of the planning staff person responsible for the application or is otherwise available to answer questions about the application.
C. Notice of Public Hearing on a Legislative Proposal. At least twenty days prior to a public hearing at which a legislative proposal to amend or adopt the city's land use regulations or comprehensive plan is to be considered, the community development director shall issue a public notice that conforms to the requirements of this subsection. Notice shall be sent to affected governmental entities, special districts, providers of urban services, including Tri-Met, Oregon Department of Transportation and Metro, any affected recognized neighborhood associations and any party who has requested in writing such notice. Notice shall also be published on the city website. Notice issued under this subsection shall include the following information:
1. The time, date and location of the public hearing;
2. The city-assigned planning file number and title of the proposal;
3. A description of the proposal in sufficient detail for people to determine the nature of the change being proposed;
4. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing; and
5. The name and telephone number of the planning staff person responsible for the proposal and who interested people may contact for further information.

Finding: Complies as Proposed. Notice was provided in accordance with this section. The City mailed notices to properties within 300 feet of the site, including properties outside of the Urban Growth Boundary, on March 29, 2022, more than 20 days prior to the first hearing. A land use transmittal notice was provided via email to affected agencies, all City neighborhood associations, County Community Planning Organizations and the chair of the Citizen Involvement Committee on June 16, 2022. A webpage was created for the project on the city website at https://www.orcity.org/planning/project/glua-21-00045

17.50.100 - Notice posting requirements.
Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply.
A. City Guidance and the Applicant's Responsibility. The City shall supply all of the notices which the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed. The City shall also provide a statement to be signed and returned by the applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the City's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the applicable decision-making time limit in a timely manner.

B. Number and Location. The applicant shall place the notices on each frontage of the subject property. If the property's frontage exceeds six hundred feet, the applicant shall post one copy of the notice for each six hundred feet or fraction thereof. Notices do not have to be posted adjacent to alleys or unconstructed right-of-way. Notices shall be posted within ten feet of the street and shall be visible to pedestrians and motorists. Notices shall not be posted within the public right-of-way or on trees. The applicant shall remove all signs within ten days following the event announced in the notice.

Finding: Complies as Proposed. Notice was provided in accordance with this section.

17.50.140 – Financial guarantees.

When conditions of permit approval require a permitee to construct certain public improvements, the City shall require the permitee to provide financial guarantee for construction of the certain public improvements. Financial guarantees shall be governed by this section.

A. Form of Guarantee. Guarantees shall be in a form approved by the City Attorney. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.

B. Performance Guarantees. A permittee shall be required to provide a performance guarantee as follows.

1. After Final Approved Design by The City: The City may request the Permittee to submit a Performance Guarantee for construction of certain public improvements. A permitee may request the option of submitting a Performance Guarantee when prepared for temporary/final occupancy. The guarantee shall be one hundred twenty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.

2. Before Complete Design Approval and Established Engineered Cost Estimate: The City may request a permittee to submit a Performance Guarantee for construction of certain public improvements. A permitee may request the option of submitting a performance guarantee before public improvements are designed and completed. The guarantee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by *the permittee's engineer and approved by the City Engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.*

C. Release of Guarantee. The guarantee shall remain in effect until the improvement is actually constructed and accepted by the City. Once the City has inspected and accepted the improvement, the City shall release the guarantee to the permittee. If the improvement is not completed to the City's satisfaction within the time limits specified in the permit approval, the City Engineer may, at their discretion, draw upon the guarantee and use the proceeds to construct or complete construction of the improvement and for any related administrative and legal costs incurred by the City in completing the construction, including any costs incurred in attempting to have the permittee complete the improvement. Once constructed and approved by the City, any remaining funds shall be refunded to the permittee. The City shall not allow a permittee to defer construction of improvements by using a performance guarantee, unless the permittee agrees to construct those improvements upon written notification by the City, or at some other mutually agreed-to time. If the permittee fails to commence construction of the required improvements within six months of being instructed to do so, the City may, without further notice, undertake the construction of the improvements and draw upon the permittee's performance guarantee to pay those costs.

D. Fee-in-lieu. When conditions of approval or the City Engineer allows a permittee to provide a fee-in-lieu of actual construction of public improvements, the fee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City Engineer. The percentage required is to ensure adequate funds for the future work involved in design, bid, contracting, and construction management and contract closeout. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer. The fee-in-lieu shall be submitted as cash, certified check, or other negotiable instrument acceptable by the City Attorney.

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the DDP level.

17.50.141 – Public improvements – Warranty

All public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period. The warranty is to be used at the discretion of the City Engineer or designee to correct deficiencies in materials or maintenance of constructed public infrastructure, or to address any failure of engineering design.

A. Duration of Warranty. Responsibility for maintenance of public improvements shall remain with the property owner or developer for a warranty period of two years.

B. Financial Guarantee. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, bond, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.

C. Amount of Warranty. The amount of the warranty shall be equal to fifteen percent of the estimated cost of construction of all public improvements (including those improvements that will become owned and maintained by the City at the end of the two year maintenance period), and shall be supported by a verified engineering estimate and approved by the City Engineer. Upon expiration of the warranty period and acceptance by the City as described below, the City shall be responsible for maintenance of those improvements.

D. *Transfer of Maintenance. The City will perform an inspection of all public improvements approximately forty-five days before the two-year warranty period expires. The public improvements shall be found to be in a clean, functional condition by the City Engineer before acceptance of maintenance responsibility by the City. Transfer of maintenance of public improvements shall occur when the City accepts the improvements at the end of the two year warranty period.*

Finding: Applicable. These obligations shall be required when development is proposed. At this point, staff finds that compliance with all of these obligations are feasible and will be reviewed at the time a DDP is approved.

CONCLUSION AND RECOMMENDATION TO PLANNING COMMISSION:

Based on the analysis and findings as described above, Staff concludes that the proposed development located at:

North and east S Livesay Road, South of S Holcomb Road, Oregon City, Oregon
Map 2 2E 28D: Tax Lots 100, 190, 200, 300, 301, 302, 303,400, 500, 502, 3700, 3701
Map 2 2E 27BC: Tax Lots 1000, 2000

can meet the requirements as described in the Oregon City Municipal Code by complying with the Conditions of Approval provided in this report. Therefore, the Community Development Director recommends approval with conditions, based upon the findings and exhibits contained in this staff report.

EXHIBITS (On File)**:**

1. Applicant's Exhibit 7 – Park Place Crossing Access Exhibit indicating revised alley-loaded and topo constrained lots, AKS Engineering, dated 8/17/2022.
~~1.~~2. Applicant's Memorandum "Park Place Crossing Updated Layout, AKS Engineering, dated 8/11/2022.
Applicant's Revisions dated 8.11.2022
~~2.~~3. Applicant's Revisions dated 6.29.2022
~~3.~~4. Vicinity Map
~~4.~~5. Applicant's Original Submittal - Full Materials
~~5.~~6. Public Comments
~~6.~~7. Letter from John Replinger
~~7.~~8. Historic Inventory Forms

~~8.~~9. Memorandum from staff regarding wildfire evacuation planning
~~9.~~10. Memorandum from Staff regarding Park land dedication
~~10.~~11. NROD Study area for Charman Creek
~~11.~~12. Memorandum from staff regarding additional conditions for Master Plan refinement review, NROD, and wetlands

Schwabe
WILLIAMSON & WYATT®

August 19, 2022

Garrett H. Stephenson
T: 503-796-2893
gstephenson@schwabe.com

VIA E-MAIL

Oregon City Planning Commission
c/o Mr. Pete Walter
625 Center Street
Oregon City, OR 97045

RE: Park Place Crossing General Development Plan
GLUA-21-00045 / MAS-21-00006 / VAR-22-00001

Dear Chair Schlagenhaufer and Planning Commissioners:

This firm represents ICON Construction & Development, LLC, the Applicant in the above-referenced file. On July 11, 2022, the Planning Commission granted a continuance of the hearing in this matter to August 22, 2022. This letter constitutes the Applicant's final written argument on this matter, and is respectfully submitted prior to the public hearing on August 22, 2022.

I. INTRODUCTION

The Application before the Planning Commission is for a General Development Plan ("GDP") for an approximately 92 acre property, which is zoned Medium Density Residential (R-5), Low Density Residential (R-10), and Neighborhood Commercial (NC). The Applicant was obligated to apply for the GDP due to Condition 4 of the 2018 Park Place annexation, which in relevant part states: "Prior to issuing any development approval authorized by this annexation and zone change, the applicant shall obtain General and Detailed Development Plan approval, that includes the entire 91-acre property, pursuant to OCMC 17.65."

The GDP is the first in a two-step process and is ultimately implemented by one or more Detailed Development Plans ("DDP"s). "A general development plan incorporates the entire area where development is planned for up to the next twenty years from the date of final approval, including the identification of one or more development phases." OCMC 17.65.020.A. A GDP also "identifies future development impacts, thresholds for mitigation and mitigation improvements and implementation schedules. A threshold for mitigation is the point that determines when or where a mitigation improvement will be required. Examples of "thresholds" include vehicle trips, square feet of impervious surface area, water usage measured in gallons per minute, construction of a building within a general development plan and construction of a building within a certain distance of a residential lot." The substance of a GDP is to determine the phasing, number and mixture of units, infrastructure needs, proposed public amenities, and impacts on identified Goal 5 resources. While public services and infrastructure needs must be identified, they are not required to be available at the time a GDP is approved; they must be capable of serving

the "proposed development by the time each phase of the development is completed." OCMC 17.65.050.C.3.

The proposed Park Place GDP satisfies the goals and requirements for GDPs by:

- Identifying the boundaries and phasing of the Project;
- Designating proposed housing types and densities;
- Designating mixed-use commercial areas along Livesay Road;
- Planning a fully integrated and complete internal transportation network, which includes future connections of Holly Lane to Holcomb Boulevard and which proposed concepts for eventually connecting Holly Lane to Redland Road through properties not yet in the City Limits;
- Identifying and reserving areas for passive and active open spaces;
- Establishing a public utility and stormwater design capable of serving the entire GDP area; and
- Demonstrating that future phases will not adversely impact inventoried Goal 5 resources.

The Applicant, Staff, and the Planning Commission have spent an enormous amount of time over the last four months to consider these aspects. The Applicant has made substantial efforts during that time to adjust and revise the Park Place plan to respond to concerns raised by the Planning Commission and the public. Such changes include, but are not limited to:

- Proposing a full connection of Holly Lane to Holcomb Boulevard to be constructed as soon as possible;
- Modifying the Holly Lane alignment to increase the gap between the west side of the road and the homes on Trailview Drive;
- Modifying the proposed location of the community park to provide flatter terrain, better conform to the designs in the Concept Plan, and provide more street frontage along the park;
- Modifying the location of the mixed commercial areas to create a main street design element along Livesay Road, consisting of approximately 2.43 total acres;
- Addition of a new local street west of Holly Lane and south of "Street E" to add additional connectivity to Livesay Road;

- Decreasing the proposed density along the exterior of the Property, and in particular, adjacent to the Trail View Neighborhood to create a reasonable transition between that comparatively lower-density existing housing and the higher density housing required by the Concept Plan;

- Reduction in proposed maximum density from 476 units to 426 units;

- Elimination of the requested density increase allowed by code;

- Despite the reduction in density of 11% from the original plan, proposal of virtually the same size community park as was originally proposed (4.3 vs. 4.4 acres), meaning a higher ratio of park land per dwelling unit and more than proportionally required;

- Proposal to construct "paired" townhouses in Phase 1 to better reflect single-family home aesthetics, provide housing type diversity and more affordable housing while maintaining larger home view for adjoining properties;

- Provision of additional alleyways through each internal block;

- For Phase 1, prevention of any pass-through traffic within the Trailview Neighborhood and a reduction in density from 59 to 49 units;

- Prevention of any pass-through traffic within the Trailview Neighborhood for Phase 2;

- Demonstration of how local street traffic will not exceed 2,000 ADT on local streets in all phases; and

- Demonstration of feasible concept designs for future collector road connections to the south to Redland Road, including an extension of Holly Lane, during discussions with City and County staff.

The Applicant greatly appreciates the hard work of the Planning Commission in working with the Applicant on the above design evolutions. The result of these efforts is a plan that implements the Park Place Master Plan, considers and addresses future infrastructure needs, and provides the requisite guide for future DDPs over the Applicant's proposed eight-year development timeline.

The Applicant understands the concerns raised regarding density and transportation impacts. Based on the original Application as modified in response to public comment, the Application demonstrates consistency with the residential density called for in the Concept Plan and provides adequate transportation infrastructure to serve each phase. The Application specifically prevents traffic impacts in the Trailview Neighborhood for at least the first two phases, and includes mechanisms to limit traffic through existing local streets in future phases. Finally, while consideration of wildfire hazards is not among the approval criteria, the complete build out of Park Place increases potential wildfire hazard exit routes; it does not worsen existing conditions.

In summary, the proposed GDP is the first necessary step in realizing the City's vision for the Park Place area. As the Application satisfies all applicable criteria and has been highly responsive to public feedback, we respectfully request that the Planning Commission approve it with conditions recommended by Staff.

II. APPLICANT'S RESPONSE TO PROPOSED CONDITIONS OF APPROVAL

The Staff Report released on August 15, 2022 and updated on August 19, 2022 includes 58 conditions of approval and many of those themselves include multiple constituent conditions. The Applicant concurs with and accepts virtually all of the proposed conditions.

However, the Applicant does not accept and urges the Commission to modify or decline to impose two conditions for the reasons summarized below:

- **Proposed Condition 11.**

Proposed Condition 11 would require the Applicant to post a financial guarantee for the proposed park dedication. The amount of the fee-in-lieu is calculated based on $4,783.80 per unit per park land cost plus $3,664 per unit for park improvement cost. As an initial matter, the Applicant is not solely responsible for the costs of park improvement; rather, these improvements are to be paid for by the City's system development charges, which the Applicant or its successor must pay when development occurs. Second, providing a fee-in-lieu in the form of a surety (which is roughly 3.6 million dollars) is impractical for the Applicant as a financial matter because of the high costs of such a surety, which cannot be backed with income from housing sales until such houses are constructed and sold.

Moreover, requiring a landowner to dedicate its private property rights or pay money for public improvements in exchange for development approval is a compensable taking unless there is an "essential nexus" between the condition and the government interest. *Nollan v. California Coastal Com.*, 483 U.S. 825, 836–37 (1987). Additionally, such exactions must be "roughly proportional" to the expected impacts caused by the proposed development. *Dolan v. City of Tigard*, 512 U.S. 374, 391-395 (1994). The City carries the burden of proof to demonstrate that the proposed public improvements have the required nexus, and must make an "individualized determination" of rough proportionality and "some effort to quantify" a project's impacts to support its conclusions. *Dolan*, 512 U.S. at 391. The community park has been sized in proportion to all proposed dwellings in the GDP area. Requiring such a per-unit payment as part of Phase 1 is not roughly proportional to the impacts of Phase 1, which includes only 49 lots. Also, requiring bonding for park improvements is not roughly proportional to the impacts of these 49 lots because each new dwelling will be subject to parks SDCs for park improvements.

As an alternative, the Applicant proposes to provide a permanent easement for 0.5 acres of park land in Phase 1, which addresses the park demand created by the 49 units proposed in Phase 1. This easement would ultimately merge with the City's property interest when the park is dedicated during Phase 2. For the above reasons, the Applicant requests that Condition 11 be revised as follows:

> "The Applicant shall dedicate a total of 4.3 acres of park land to the City at the time of final plat recording of Phase 2, in the location identified in the GDP exhibit. At the time of final plat recording of Phase 1, the Applicant shall grant a public easement for park use on 0.5 acres of property owned by the Applicant that is included within the 4.3 acres of park land proposed to be dedicated prior to the final plat recording of Phase 2."

- **Proposed Condition 53.**

Proposed Condition 53 requires, among other things, the Applicant to "show how underground aquifers should be maintained." Such an analysis requires characterization of the aquifer itself, which involves complex and expensive modeling, as well as the potential need to drill one or more wells on the property. Maintaining certain water levels in the aquifer is not a requirement of the OCMC, and the Applicant has already characterized the poor infiltration potential on the Property. In addition, the requirements of OCMC 17.44.090 minimize the infiltration in sites with geologic hazards. Moreover, the City is preempted as a matter of law from requiring the Applicant to demonstrate adequate ground water supply or aquifer impacts. *Ashland Drilling v. Jackson County*, 168 Or App 624, 643 (2000). For these reasons, the Planning Commission should revise Condition 53 to read as follows:

> "The applicant shall provide a hydrology report that addresses the effect of the stormwater outfall upon the local watershed with each DDP. The hydrology report must address the discharges erosion and landslide effect on the downhill slope and the stabilization of the uphill slope."

III. APPLICANT'S RESPONSE TO PUBLIC COMMENTS

Below is a summary of the Applicant's response to public comments made available to the Applicant by July 25, 2022. The Applicant also incorporates its response to public comments from its prior submissions to the Planning Commission.

a. Transportation impacts from the project can and will be adequately mitigated.

A number of individuals argued that the existing and planned roadway infrastructure cannot accommodate existing or proposed development. This is not accurate. The Applicant submitted a Transportation Impact Study (the "Traffic Study"), prepared by Lancaster Mobley, dated January 13, 2022, which concludes that, with the recommended mitigation measures (which are additional to the proportional share payment required as part of the annexation), the existing and proposed street network is capable of serving the proposed development as required by OCMC 17.65.050.C.3.

In its memorandum to the City dated April 15, 2022, Replinger & Associates LLC (the "Replinger Memo"), the City's independent transportation consultant concluded that the Applicant's Traffic Study "clearly illustrates that the trip generation for the residential development described in this development proposal is below the limits of the trip cap established

in the prior land use action." Replinger Memo at pg. 14. Moreover, "[t]he [Traffic Study] also demonstrates that the intersection of Holcomb Boulevard with Street A will meet the city's operational standards and accommodate traffic from Phases 1 and 2, even if the northern section of Holly Lane to Holcomb Boulevard is not connected." It should be noted that all of these conclusions were based on the original density of 476 units. With the reduced density of 426 units, the impacts are further reduced.

Additionally, the Applicant understands concerns raised regarding wildfire evacuation. However, construction of Park Place Crossing will improve, not diminish, potential evacuation routes by ultimately improving north-south flow of traffic between Holcomb Boulevard and Livesay Road, thereby increasing the availability of emergency access to Highway 213. Initially, temporary emergency access will be available to Phase 1 from Shartner Drive, as depicted on Sheet P-08 of the plans submitted with the Applicant's initial submission. With Phase 2, additional temporary emergency access will be available via the Holly Lane and S Livesay Road connection. Clackamas County submitted a comment on the Application which supports the proposed gated access at Holly Lane and Livesay Road, with the gate being approved by the Clackamas Fire District. Until complete street connectivity is constructed, this gate could be easily opened by the Fire District in the event of an evacuation.

The additional roads proposed as part of this Application will also provide additional connections throughout the subject property that will aid in evacuation in the event of an emergency. In a memorandum from Kelly Reid dated May 2, 2022, City staff further addressed the wildfire concerns raised by the public. As stated in the memorandum, "Clackamas County emergency management officials are working on plans to better manage the logistics of the evacuation efforts to avoid a similar evacuation traffic problem in the future" and these efforts will begin in 2022. However, at this point, the County has no clear evacuation plans with which the Applicant must or can conform. Moreover, evacuation route planning is not embodied in the approval criteria or applicable standards.

Finally, the Applicant worked extensively with City and County staff to evaluate the feasibility and timing for the extension of Holly Lane south to Redland Road. This extension will further support emergency evacuation routes, providing upon completion the full width collector road connection between Holcomb Blvd and Redland Road.

b. The proposed development is consistent with the Park Place Concept Plan.

Concerns were raised that the proposed master plan is not identical to the Concept Plan. However, the OCMC does not require the master plan to be identical. Rather, OCMC 17.65.050.C.7 only states that the proposed general development plan must be <u>consistent</u> with any concept plan, not that it must be *identical* to any concept plan. Additionally, the Applicant submitted a Concept Plan Analysis which outlines the project's consistency with the Concept Plan, and the Concept Plan itself acknowledges that it is a high-level document intended to be flexible based on the actual situations encountered. *See*, Concept Plan at pg. 2. Moreover, all maps within the Concept Plan state as follows:

> "This map is for concept planning purposes only. The specific locations of natural resource boundaries, open space, parks, land uses, roads, trails, infrastructure and related improvements may change and is subject to on-site verification and design at the time of development."

This clearly contemplates that development will likely not be identical with the Concept Plan. As a result, the Planning Commission can find that the project is consistent with the Concept Plan as required by OCMC 17.65.050.C.7.

Additionally, comments raised concerns regarding the applicability of "Main Street Standards" referenced in the Concept Plan Technical Appendix. These standards do not apply to the GDP as they are not development standards. Only the NC standards of the OCMC will apply. Additionally, while many concerns raised regarding the Application are that it lacks certain items that are required as part of a DDP, as discussed above, ultimate development of the subject property will be accomplished through the DDP as the GDP process does not authorize physical alterations of the subject property. OCMC 17.65.040.

c. The proposed density is consistent with the Park Place Concept Plan and underlying zoning.

Concerns were raised about the overall density of the proposed development. The proposed development will achieve a density of 9.2 units per acre consistent with the underlying zoning of the subject property and the Concept Plan.[1] Specifically, the Applicant has proposed 426 units, which is approximately 46% of the total number of units planned for the North Village Area of the Concept Plan (936 units). Similarly, the proposed development encompasses approximately 50% of the North Village Area and thus the proposed unit count is consistent with the density called for the Concept Plan. Restricting development to the minimum density allowed in each zone would result in approximately 316 units on the subject property and the remainder of the North Village Area would be required to include increased densities per acre in order to make up for the shortfall of units, as called for in the Concept Plan.

The Concept Plan does not require a portion of the Property to be set aside for density levels not exceeding 4 units/acre. The housing portion of the Concept Plan explains as follows:

> "Residential land will be provided in a range of low-density (R-10) zones to neighborhood commercial (NC) zones. In order to provide attractive and affordable housing for a variety of incomes and household types [,] it is recommended that a new residential zone (R-5), modifications to existing zones, additional design standards for attached single-family housing be instituted to implement the Park Place Concept Plan."

The Plan goes on to recommend a mix of zones including R-10, R-5, R-3.5, and

[1] The maximum dwelling units per acre is 9.2, and with a permitted NROD density transfer the maximum dwelling units per acre is 10.1.

Neighborhood Commercial. At no point does this recommendation include a requirement for a proportion of Park Place to be limited to only 4 units/acre. Rather, the Plan's density goals are set forth in Table 3-1 and 3-2, and the density limits for the combination of "low/medium density residential" is a *minimum* of six units/acre, not a maximum of four units/acre. As explained in the updated staff report, the Application satisfies this requirement.

Importantly, Staff agrees with the above analysis:

> Using the acreage and base zoning density requirements, the calculated composite minimum density of is 6.8 dwelling units per acre and a composite maximum density of 9.2 dwelling units per acre.
>
> Minimum density of 6.8 du/acre results in 316 dwelling units and maximum density of 9.2 du/acres results in 427 dwelling units.
>
> With the updated layout, the residentially zoned portion of Park Place Crossing GDP plans to provide 426 residential dwelling units, not including any future mixed-use residential dwelling units in commercially zoned areas. The minimum composite density (calculated based on the net developable area and base zone density standards) permitted by the base zoning for the area is 6.8 dwelling units per acre (347 dwelling units with the NROD density transfer). The maximum composite density permitted by the base zoning for the area is 9.2 dwelling units an acre. Park Place Crossing is within the minimum/maximum density range established by the base zoning for the area, not including permitted density transfers and onus density processes described below.
>
> Previous plans utilized permitted NROD density transfer and a portion of the allowable GDP density increase. The NROD density transfer permits up to 469 dwelling units (9.2 dwelling units/acre over ±51.0 acres). The maximum number of dwelling units for the area with the allowed GDP density increase (10%) is 515 units or 10.1 dwelling units per acre. Therefore, the Park Place Crossing project is well within the established and accepted range of density.

Updated Staff Report, page 34.

d. There is no minimum retail square footage requirement in the NC zone.

The Concept Plan envisions 39,595 square feet of retail space within 1.8 acres of NC zone when fully developed. Concept Plan at 65. This square footage goal covers the entire area of the Concept Plan, not just the North Village. The Concept Plan does not require a specific amount of NC retail development in the North or South villages. Rather, the plan assumed based on a 2006 market analysis that the "the study area can support approximately 40,000 square feet of new commercial development: 30,000 square feet in the North Village and 10,000 square feet in the South Village. Concept Plan at 24. These are not minimum requirements; they are the maximum amounts of retail development that the Concept Plan believed to be possible (in 2006).

e. A stormwater detention pond is allowed in the NC zone.

The Applicant's GDP includes a stormwater detention pond at the southeast corner of the site; as discussed at length during the hearing, the pond must be located at the bottom of the slopes in the southeast corner in order to ensure adequate stormwater capture due the slope of the Property. The pond is located on property that is split-zoned between NC and R5. The pond is an accessory use to proposed residential and mixed-use development in both zones.

Beyond its status as an accessory use, the pond is specifically allowed as a stand-alone use in the NC zone. Under OCMC 17.24.020.A, the NC zone allows "[a]ny use permitted in the mixed-use corridor." The MUC zone allows: "Utilities: Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers." OCMC 17.9.020.U. While the definition of "utilities" in OCMC 17.04.1450 specifically excludes "stormwater pretreatment facilities," the proposed stormwater detention pond fits the definition of a "stormwater quantity control and quality control facility," per the definition in OCMC 17.04.1185. That section defines a "stormwater quantity control and quality control facility" as:

> "a component of a man-made drainage feature, or features designed or constructed to perform a particular function or multiple functions, including but not limited to, pipes, swales, ditches, culvert, street gutters, detention basins, retention basins, wet ponds, constructed wetlands, infiltration devices, catch basins, oil/water separators, and sediment basins."

OCMC 1704.1185. This definition, which specifically includes detention basins, encompasses stormwater detention ponds.

Further, a number of the zones, including the low-density residential district, specifically prohibit "any use not expressly listed in the OCMC . . ." but neither the MUC zone nor the NC zone have a similar provision. Therefore, the OCMC should be interpreted to allow the proposed "stormwater quantity control and quality control facility" in the NC zone.

f. Proposed development along South Livesay Road is consistent with development called for in the Park Place Plan.

The Applicant has revised the master plan to include both retail, civic, and village green areas along the north side of South Livesay Road, to the east and west of Street 4 and Holly Lane. Thus, the area within the boundaries of the Master Plan is consistent with the development called for in the Concept Plan. Additionally, as discussed above, while a stormwater facility is located along South Livesay Road, this is the only appropriate location for this facility since it needs to be located in a low lying area of the development and at the bottom of nearby slopes to ensure adequate stormwater capture.

g. The applicant correctly relies on the Natural Resource Overlay District Boundaries and its wetland delineation.

Comments were received from Enoch Huang and Roya Mansouri regarding potential errors and omissions in the Applicant's Natural Resource Overlay District ("NROD") Analysis. Mr. Huang's and Ms. Mansouri's comments generally argue that the NROD inventory excludes certain resources, but these arguments must be rejected for three reasons, summarized here and explained in more detail in the Applicant's May 23, 2022 letter to the Planning Commission. First, a revision to the NROD boundary is not proposed in the Application. Second, none of wetland identified in

the Applicant's wetland delineation abut the NROD boundary. Finally, substantial evidence in the record supports a conclusion that all wetlands and streams were correctly identified in the Applicant's wetland delineation, which has received concurrence by the Oregon Department of State Lands ("DSL").

h. Flooding, landslides, stormwater, and other natural hazards were evaluated as part of the Application and will be further addressed during future Detailed Development Plan phases.

Comments were received regarding potential impacts of landslides, flooding, and other natural hazards. While the subject property is located within the Natural Resource Overlay District ("NROD") and Geologic Hazard Overlay zone, the project avoids known natural hazards to the extent possible and home sites have been located to avoid existing steep slopes and landslide hazards where possible.

With its initial submission, the Applicant submitted a memorandum addressing compliance with the Natural Resource Overly District requirements and Geologic Hazard Overlay Zone requirements. *See*, Exhibits G and M. In addition, the Applicant submitted a Preliminary Stormwater Report (Exhibit F), a Preliminary Geotechnical Report (Exhibit K), and Addendum on Slopes (Exhibit L). Subsequently, the Applicant submitted a Supplemental Memorandum, prepared AKS Engineering & Forestry, dated April 15, 2022, which addresses the concerns regarding landslides, flooding, and other natural hazards.

As noted above, the Applicant is requesting approval of the GDP and not approval of a DDP or subdivision. The project will require a DDP review, NROD reviews, and Geological Hazard reviews for each phase and prior to construction on the subject property. As stated in the Application, the project will comply with all requirements; therefore the Planning Commission can find that the criteria of OCMC 17.65.050.C.7 is satisfied.

Additional comments raised concerns regarding an increase in impervious surface as a result of the project. As stated in the Applicant's Preliminary Stormwater Report, all stormwater will be accommodated on the subject property through planters and detention ponds. Detailed stormwater plans for each phase of construction will be provided through each subsequent Detail Development Plan application.

Concerns were raised about contamination of wells on adjacent properties. These concerns do not appear related to an approval criterion and are not supported by evidence.

i. Lot 14 adjacent to the subject property is not required to construct the roadway improvements for the project, as proposed.

Representatives of the Trailview Heights Homeowners' Association, Inc. (the "Association") argued that no construction or alteration of Lot 14 is permitted under the Declaration of Covenants, Conditions and Restrictions for Trailview Heights Subdivision (the

Declaration).[2] The Applicant confirms that it does not intend to alter Lot 14 so long as the reduced width of Holly Lane is approved. Moreover, enforcement of a private covenant is not a "land use decision" and outside of the City's purview. *See Rasmussen v. City of Lake Oswego*, 56 Or LUBA 628 (2008); *Jewett v. City of Bend*, 48 Or LUBA 631 (2004).

j. The project will not have an adverse impact on Oregon City's schools.

Pursuant to OCMC 17.65.050.C.3, public services for transportation, water supply, police, fire, sanitary waste disposal, storm-water disposal, and any other needed public services and facilities including schools and parks for proposed residential uses, must be capable of serving the proposed development, or can be made capable by the time each phase of the development is completed. With respect to schools, the Oregon City School District provided an additional comment letter dated May 9, 2022, which confirms that the City's school have adequate capacity to serve the proposed development.

k. A majority of the lots in the proposed development are alley loaded.

The OCMC require that residential areas be constructed with alleys in the medium and high density zones unless "other permanent provisions for private access to off-street parking and loading facilities are approved by the decision maker." *See* OCMC 16.12.026. Consistent with the Concept Plan and the OCMC, the Applicant has proposed alleys for a majority the proposed lots, except for those lots that are topographically constrained where it is impractical to have alley-loaded lots.

IV. THE APPLICATION IS SUBJECT TO ONLY CLEAR AND OBJECTIVE STANDARDS

The Application proposes 426 units of residential housing. ORS 197.307(4) (known as the "needed housing statute") provides that "[e]xcept as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing." Condition 4 of Ord. No. 18-1007 required the Application to undergo a discretionary GDP/DDP process, thereby depriving the Applicant of its right to use a clear and objective approval process, required by ORS 197.307(6)(a). Thus, the Application should be subjected only to clear and objective standards. While the Applicant has demonstrated how the Application meets all potentially-applicable standards, including the goals and policies of the Concept Plan, the Applicant reserves its right to challenge the applicability of any non-clear and objective standard, criterion, policy, or process should the Application be denied on such basis.[3]

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[2] Recorded January 16, 2003 as Clackamas County Document No. 2003-006569.

[3] ORS 227.175(4)(b)(A) provides that "[a] city may not deny an application for a housing development located within the urban growth boundary if the development complies with clear and objective standards, including clear and objective design standards contained in the city comprehensive plan or land use regulations."

Clear and objective standards must have "objective benchmarks" for measuring the compliance of projects to which they apply. *Warren v. Washington County*, 78 Or LUBA 375, 388–89, *aff'd*, 296 Or App 595 (2019). Conversely, phrases that require a "subjective analysis in order to determine [their] meaning" violate the needed housing statute. *Legacy Development Group, Inc. v. City of the Dalles*, __Or LUBA __ (LUBA No. 2020-099, *slip op* at 12) (Feb. 24, 2021). And, the standards must be clear and objective on the face of the ordinance. ORS 227.173(2).

The Staff Report and Application clearly explain why all of the approval criteria listed in OCMC 17.65.050.C are satisfied or can be satisfied with reasonable conditions of approval. These criteria include the following criteria that are not clear and objective:

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

This criterion is not clear and objective because the term "consistent" and the purpose statement of OCMC 17.65 are not clear and objective.

- *"2. Development shall demonstrate compliance with OCMC 12.04 16.12, 17.62, if applicable, and 16.08, if applicable."*

This criterion is not clear and objective because it does not specify what these standards are, and as such, there is no way to determine whether those standards themselves are clear and objective.

- *"3. Public services for transportation, water supply, police, fire, sanitary waste disposal, storm-water disposal, and any other needed public services and facilities including schools and parks for proposed residential uses, are capable of serving the proposed development, or will be made capable by the time each phase of the development is completed."*

This criterion is not clear and objective because the meaning of "capable of serving the proposed development" is not clear and objective, nor is there any clear and objective benchmark for determining compliance with such a requirement.

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

This criterion is not clear and objective because the word "protects" in this context does not demonstrate how and to what extent Goal 5 resources may or may not be impacted. Also, the phrase "consistent with provisions of applicable overlay districts" is not clear and objective because it gives no guidance on what "consistent" means in this context, nor does it identify which provisions of applicable overlay district actually apply, or whether those provisions are themselves clear and objective.

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

This criterion is not clear and objective because the phrase "adequately mitigates identified impacts" is entirely subjective.

- "*6. The proposed general development plan is consistent with the Oregon City Comprehensive Plan.*"

This criterion is not clear and objective because most of the policies in the Comprehensive Plan are not clear and objective.

- "*7. The proposed general development plan is consistent with the underlying zoning district(s) and any applicable overlay zone or concept plans.*"

This criterion is not clear and objective because the term "consistent" is not clear and objective, nor are most goals of the Concept Plan.

Specifically, the Concept Plan contains the following goals and concept planning criteria that are also not clear and objective:

- "*The concept planning area should incorporate Comprehensive Plan and zoning designations that allow for a wide range of housing types and densities that meet the needs of households with a range of incomes.*"

This goal is not clear and objective because there is no clear and objective benchmark for determining compliance with such a requirement. Allowing for a "wide range of. . .densities" is not an objective criteria.

- *"Establish opportunities to create neighborhood commercial and mixed use centers which provide area residents with opportunities to shop and work, consistent with the core values of this plan.*"

This goal is not clear and objective because the term "consistent" is not clear and objective, nor are most of the goals of goals of the Concept Plan. Additionally, the core values provide no objective benchmarks for determining compliance. For example, one core value states "[w]e value protection of property owners' rights." This is not an objective benchmark for determining compliance.

- "*Manage and conserve natural resources and values within the planning area, including riparian areas, woodlands, wetlands and wildlife and plant habitat.*"

This goal is not clear and objective because there is no clear and objective benchmark for determining compliance with such a requirement.

- "*Provide parks, open space, and trails consistent with City or national standards, including trail or open space connections between centers.*"

This goal is not clear and objective because the term "consistent" is not clear and objective, nor are there clear and objective benchmark for determining compliance with such a requirement.

- "*Locate parks adjacent to future village centers in order to maximize proximity and therefore walkability for the greatest number of residents*."

This concept planning goal is not clear and objective because the term "maximize" is not clear and objective, nor is there an objective benchmark for determining compliance with such requirements.

Numerous other policies in the Concept Plan are not clear and objective and were never intended to be. The Application seeks to demonstrate, and according to Staff's recommendation has demonstrated, compliance with the above criteria and standards and others in the Concept Plan. However, as the they are not clear and objective and because the Applicant was never allowed a "clear and objective" pathway for development as required in ORS 197.307(6)(a), the Planning Commission may not use these or any other non-clear and objective standards, goals, policies ore criteria as a basis for denial of the Application.

Further, the City has identified a need for additional housing of all types.[4] Therefore, the Application is for "needed housing" as defined in ORS 197.303(1)(a). This means that the following requirements of ORS 197.522 apply:

> "(2) A local government shall approve an application for a permit, authorization or other approval necessary for the subdivision or partitioning of, or construction on, any land for needed housing that is consistent with the comprehensive plan and applicable land use regulations."
>
> "(3) If an application is inconsistent with the comprehensive plan and applicable land use regulations, the local government, prior to making a final decision on the application, shall allow the applicant to offer an amendment or to propose conditions of approval that would make the application consistent with the plan and applicable regulations."

The Applicant hereby requests that, if the Planning Commission determine that the Application

[4] The City of Oregon City 2021-2041 Housing Needs Analysis (the "HNA"), attached hereto as **Exhibit 1**, states "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." HNA, 66. The City projects 3,717 units (or 50%) of that needed housing will be single-family detached dwelling units. HNA, 70.

does not meet any land use regulation which the Planning Commission believes to be applicable, that the record be reopened for the sole purpose of allowing the Applicant to discuss its compliance with such land use regulation and offer a condition of approval to ensure its satisfaction if such regulation is applicable.

V. CONCLUSION

The Applicant respectfully requests the Planning Commission approve the Application with reasonable conditions of approval, as recommended by Staff and with the revisions requested by the Applicant herein.

Best regards,

Garrett H. Stephenson

GST:jmhi
Enclosure

cc: Mr. Harlan Borow *(w/enclosure, via email)*
Mr. Chris Goodell *(w/enclosure, via email)*
Mr. Mark Handris *(w/enclosure, via email)*
Mr. Darren Gusdorf *(w/enclosure, via email)*
Mr. Joseph O. Gaon *(w/enclosure, via email)*
Ms. Carrie Richter *(w/enclosure, via email)*
Ms. Aquilla Hurd-Ravich *(w/enclosure, via email)*

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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

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 areas[40] will grow from 14,778 households in 2021[41] 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 2041[43]

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; Strochak, 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 660-007[49]:
  - **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%
equals Total new single-family detached DU	3,717
Single-family attached	
Percent single-family attached DU	20%
equals Total new single-family attached DU	1,487
Duplex, Triplex, Quadplex	
Percent duplex, triplex, quadplex	10%
equals Total new duplex, triplex, quadplex DU	744
Multifamily (5 or more units)	
Percent multifamily	20%
Total new multifamily DU	1,487
equals 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. Multi-family 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 acres[50] 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

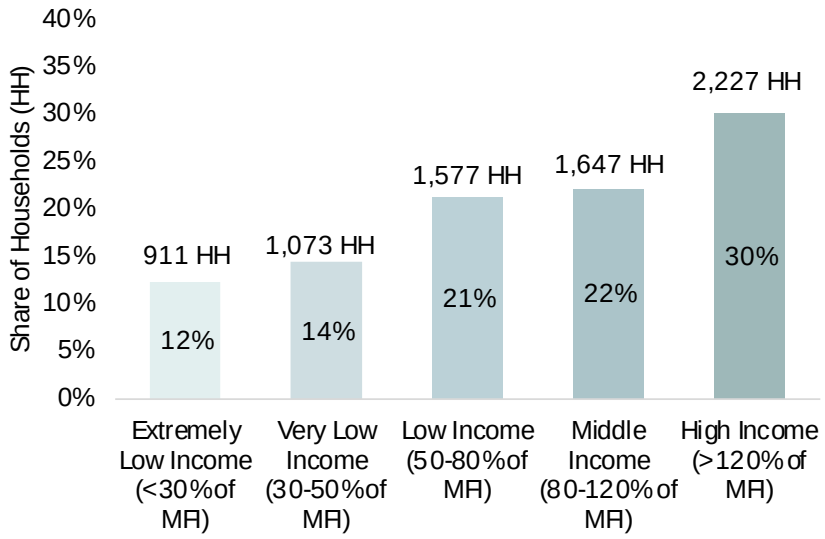
The next step in the housing needs analysis is to develop an estimate of need for housing by income and housing type. This analysis requires an estimate of the income distribution of current and future households in the community. Estimates presented in this section are based on (1) secondary data from 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/MDPCRParks/ParkDirQuery.jsp

[56] Clairmont, Mt. Pleasant, Cherry Lane, and Char Diaz Estate

[57] Forest Park, Country Village

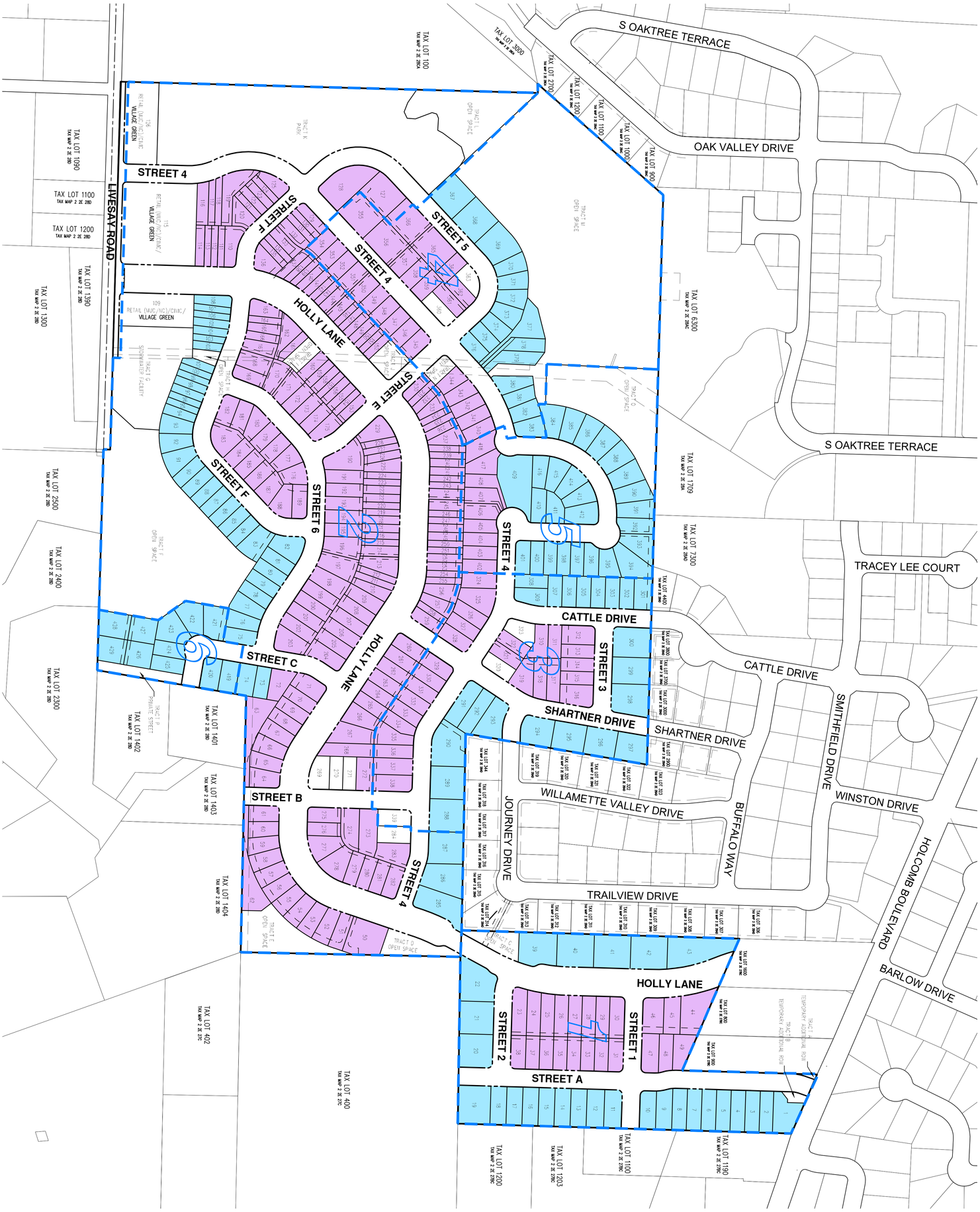
[58] City of Oregon City, with space count from Oregon Housing and Community Services, Oregon Manufactured Dwelling Park Directory, http://o.hcs.state.or.us/MDPCRParks/ParkDirQuery.jsp

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.



REVISED ALLEY-LOADED AND TOPO CONSTRAINED LOT EXHIBIT
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	08/17/2022
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-7

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM

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AKS ENGINEERING & FORESTRY

BEND, OR
2777 NW Lolo Drive, Suite 150
Bend, OR 97703
(541) 317-8429

KEIZER, OR
3700 River Road N, Suite 1
Keizer, OR 97303
(503) 400-6028

TUALATIN, OR
12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

VANCOUVER, WA
9600 NE 126th Avenue, Suite 2520
Vancouver, WA 98682
(360) 882-0419

www.aks-eng.com

Date: 8/11/2022
To: Oregon City Planning Commission c/o Pete Walter, AICP
From: Glen Southerland, AICP
Project Name: Park Place Crossing General Development Plan (GDP)
AKS Job No.: **7404**
Subject: **Park Place Crossing Updated Layout**
GLUA-21-00045 / MAS-21-00006 / VAR-22-00001

Dear Chair Schlagenhaufer and Planning Commissioners:

On July 25, 2022, the Planning Commission granted a continuance of the hearing in this matter to August 22, 2022, to provide time for the Applicant to make certain updates to the Application in response to feedback from the Planning Commission and the public.

In previous Planning Commission hearings, considerable input related to the layout of the Park Place Crossing General Development Plan project was received. The Applicant has considered this input and incorporated into the plan, especially where the project abuts existing neighborhoods and homes. The updated plans for consideration by Staff and the Planning Commission are attached and include the following changes:

Lower Density

The overall number of homes has been reduced from 476 to 426 within Phases 1 through 6 (residentially zoned portion of Park Place Crossing). Of these, single-family detached dwelling units represent 65 percent of homes within Park Place Crossing and 32 percent of homes are planned to be provided as single-family attached dwelling units. Because attached dwellings are considered with different density standards than single-family detached dwellings, the addition of paired townhomes and the consolidation of lots (described below) reduces the overall density of the Park Place Crossing project. Detailed density calculations are provided on EXH-2.

To demonstrate the future ability of other non-residential zoning within the Park Place Crossing General Development Plan area to provide possible mixed-use residential units, the remaining 3 percent of homes (14 multi-family units) have been shown as provided within the Neighborhood Commercial zoning area for a total of 440 residential dwelling units.

With the updated layout, the residentially zoned portion of Park Place Crossing GDP plans to provide 426 residential dwelling units, not including any future mixed-use residential dwelling units in commercially zoned areas. The minimum composite density (calculated based on the net developable area and base zone density standards) permitted by the base zoning for the area is 6.8 dwelling units per acre (347 dwelling units with the NROD density transfer). The maximum composite density permitted by the base zoning for the area is 9.2 dwelling units an acre. Park Place Crossing is within the minimum/maximum

density range established by the base zoning for the area, not including permitted density transfers and bonus density processes described below.

Previous plans utilized permitted NROD density transfer and a portion of the allowable GDP density increase. The NROD density transfer permits up to 469 dwelling units (9.2 dwelling units/acre over ±51.0 acres). The maximum number of dwelling units for the area with the allowed GDP density increase (10%) is 515 units or 10.1 dwelling units per acre. Therefore, the Park Place Crossing project is well within the established and accepted range of densities and does not come close to maximizing density to the fullest extent allowable through the Oregon City Municipal Code (OCMC). As such, the Park Place Crossing GDP no longer includes a density increase permitted through General Development Plans per OCMC 17.65.070.C.4. The density of the project was adjusted by making the following considerations:

Bigger Lots

Where the Park Place Crossing project abuts existing neighborhoods, especially those adjacent to Phase 1 of the project, lot sizes have been increased. These lots were designed to mimic neighboring property widths and property line locations where possible. Some lots were increased to 10,000 square feet and many lots along the eastern edge of Phase 1 have also increased in size. As a result, the number of lots within Phase 1 has been reduced by 10 units to 49 total units.

Additionally, lots within the small portion of the site with R-10 zoning have been adjusted to meet the base zone lot dimension and size requirements. Previously, these lots were planned to meet the overall Park Place Crossing Master Plan standards with detached single-family lots planned to be 4,000 square feet in size and attached single-family lots planned to be 1,800 square feet in size. While the prior planned lot sizes in the R-10 zone met the intent of the Park Place Concept Plan, these increases make the lot sizes consistent with the existing zoning.

Greater Housing Type Diversity

Paired townhomes have been added to Phase 1. These units have the added benefit of adding only one residential building with two units rather than two individual homes. To adjacent properties, these units would appear similar to a single residence. This also brings diversity in housing types and the opportunity for more affordable homes to be provided in Phase 1.

Addition of Alleys

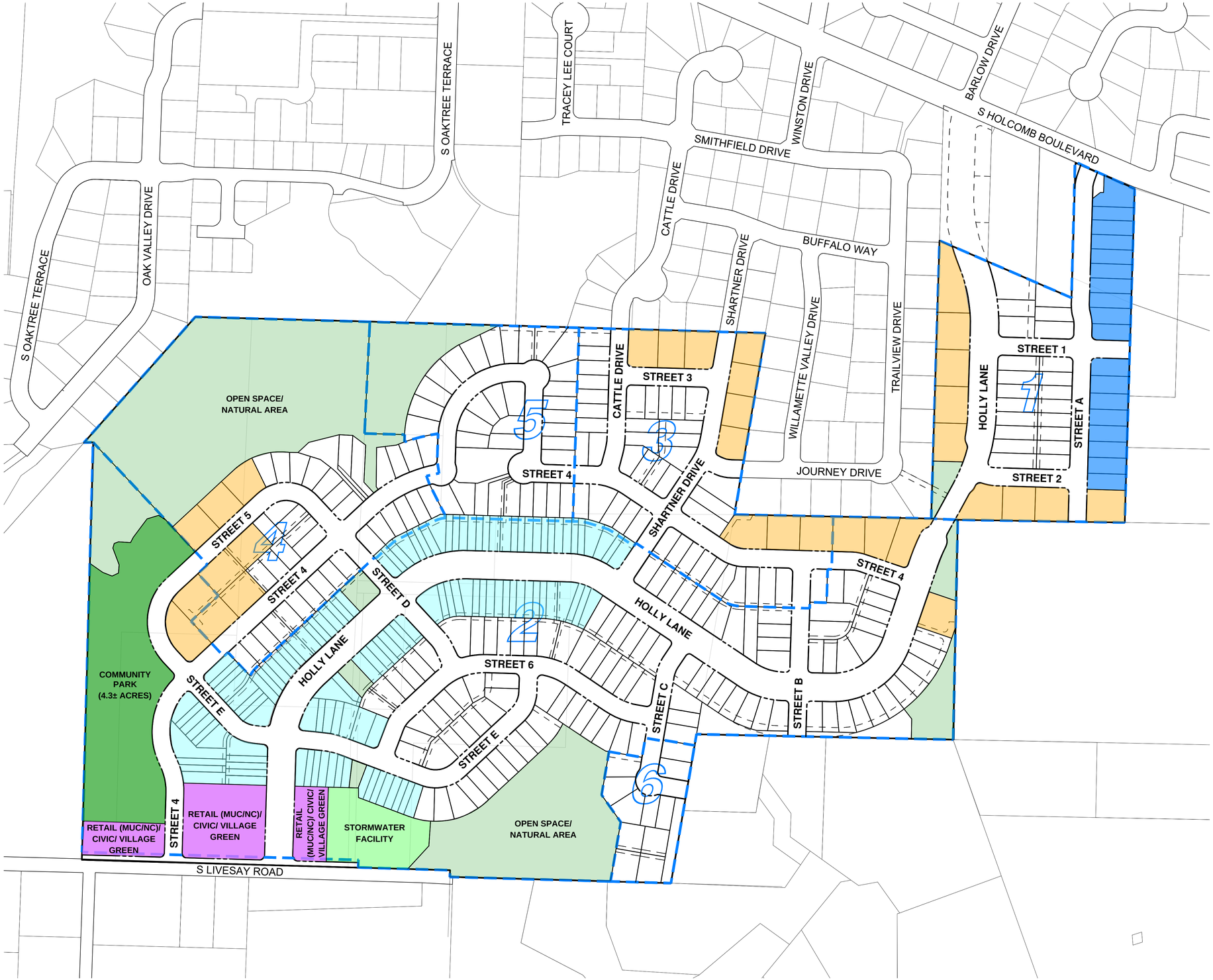
Where feasible, alleys have been added to this General Development Plan application to allow additional homes to provide rear access. Perimeter lots, because they abut either natural areas or existing homes, and lots in areas with topographic constraints have not been planned with alley access. The addition of these alleys will reduce the number of driveways accessing local streets, providing greater opportunities for planter strips and on-street parking while reducing the number of pedestrian/vehicle conflicts, meeting the intent of the Park Place Concept Plan.

Other Layout Changes & Conclusion

The updated layout further demonstrates consistency with the Park Place Concept Plan, especially within the Mixed Use/Civic/Village Green area. This area has been refined to provide a continuous corridor for the Livesay Main Street area, updated to include only uses permitted within the Neighborhood Commercial zone, and provide additional transportation connectivity that better integrates this area with the Park Place Crossing neighborhood and future Park Place North Village areas.

These layout and housing type changes provide the opportunity for additional affordable attached single-family housing and other residential use types (e.g., those within Neighborhood Commercial areas). The densities and provided housing types of the Park Place Crossing project is consistent with those envisioned by the Park Place Concept Plan for the North Village, Oregon City Municipal Code, as well as the newly adopted Housing Needs Analysis while also providing larger lots and fewer buildings along the perimeter of the Master Plan area.

Attachments: Exhibit 1 – Park Place Crossing Layout Revision Exhibit
Exhibit 2 – Revised Oregon City Zone Overlay Map and Density Analysis



UNIT TYPE LEGEND:

- LOTS CONSOLIDATED AND INCREASED IN SIZE TO MATCH EXISTING ADJACENT PROPERTY LINES, INCREASE TO 10,000 SQ FT WITHIN R-10 ZONE, AND LIMIT NEW LOTS ON PERIMETER OF DEVELOPMENT
- TOWNHOME LOTS
- PAIRED TOWNHOMES LOTS

PARK PLACE CROSSING RESIDENTIAL UNITS

UNIT TYPE	UNITS
PAIRED TOWNHOMES	18
TOWNHOMES	121
4-5K SQ FT DETACHED	255
>5K SQ FT DETACHED	32
MIXED-USE (APARTMENT)	14
TOTAL	440

PARK PLACE CROSSING PROPORTIONALITY TO PARK PLACE CONCEPT PLAN NORTH VILLAGE

PPCP NORTH VILLAGE TOTAL UNITS	937
PPC TOTAL UNITS	440
PERCENTAGE OF PPCP NORTH VILLAGE	47.0%
TOTAL PPCP NORTH VILLAGE PARK (ACRES)	8
PPC PROPORTIONAL PARK REQUIRED (ACRES)	3.8
*PPC DEDICATED PARK (ACRES)	4.3
REIMBURSED PARK (ACRES)	0.5

* IN ADDITION TO 15.3 ACRES OF OPEN SPACE

PHASED UNIT TYPE AND OPEN SPACE SUMMARY:

PHASE 1:
- SINGLE FAMILY DETACHED: 31
- SINGLE FAMILY ATTACHED: 18
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 0.2± ACRE

PHASE 2:
- SINGLE FAMILY DETACHED: 114
- SINGLE FAMILY ATTACHED: 121
- MIXED-USE (APARTMENTS): 14
- OPEN SPACE: 6.1± ACRE

PHASE 3:
- SINGLE FAMILY DETACHED: 52
- SINGLE FAMILY ATTACHED: 0
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 0.0± ACRE

PHASE 4:
- SINGLE FAMILY DETACHED: 44
- SINGLE FAMILY ATTACHED: 0
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 7.6± ACRE

PHASE 5:
- SINGLE FAMILY DETACHED: 35
- SINGLE FAMILY ATTACHED: 0
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 1.5± ACRE

PHASE 6:
- SINGLE FAMILY DETACHED: 11
- SINGLE FAMILY ATTACHED: 0
- MIXED-USE (APARTMENTS): 0
- OPEN SPACE: 0.0± ACRE

TOTAL:
SINGLE FAMILY LOTS: 426
RESIDENTIAL UNITS: 440
SINGLE FAMILY DETACHED UNITS: 287 (65%)
SINGLE FAMILY ATTACHED UNITS: 139 (32%)
MIXED-USE (APARTMENT) UNITS: 14 (3%)
OPEN SPACE: 15.3± ACRE

N

SCALE: 1"=150 FEET

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ORIGINAL PAGE SIZE: 22" x 34"

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PARK PLACE CROSSING LAYOUT REVISION EXHIBIT
PARK PLACE CROSSING MASTER PLAN

OREGON CITY, OR

PRELIMINARY
NOT FOR CONSTRUCTION

JOB NUMBER:	7404
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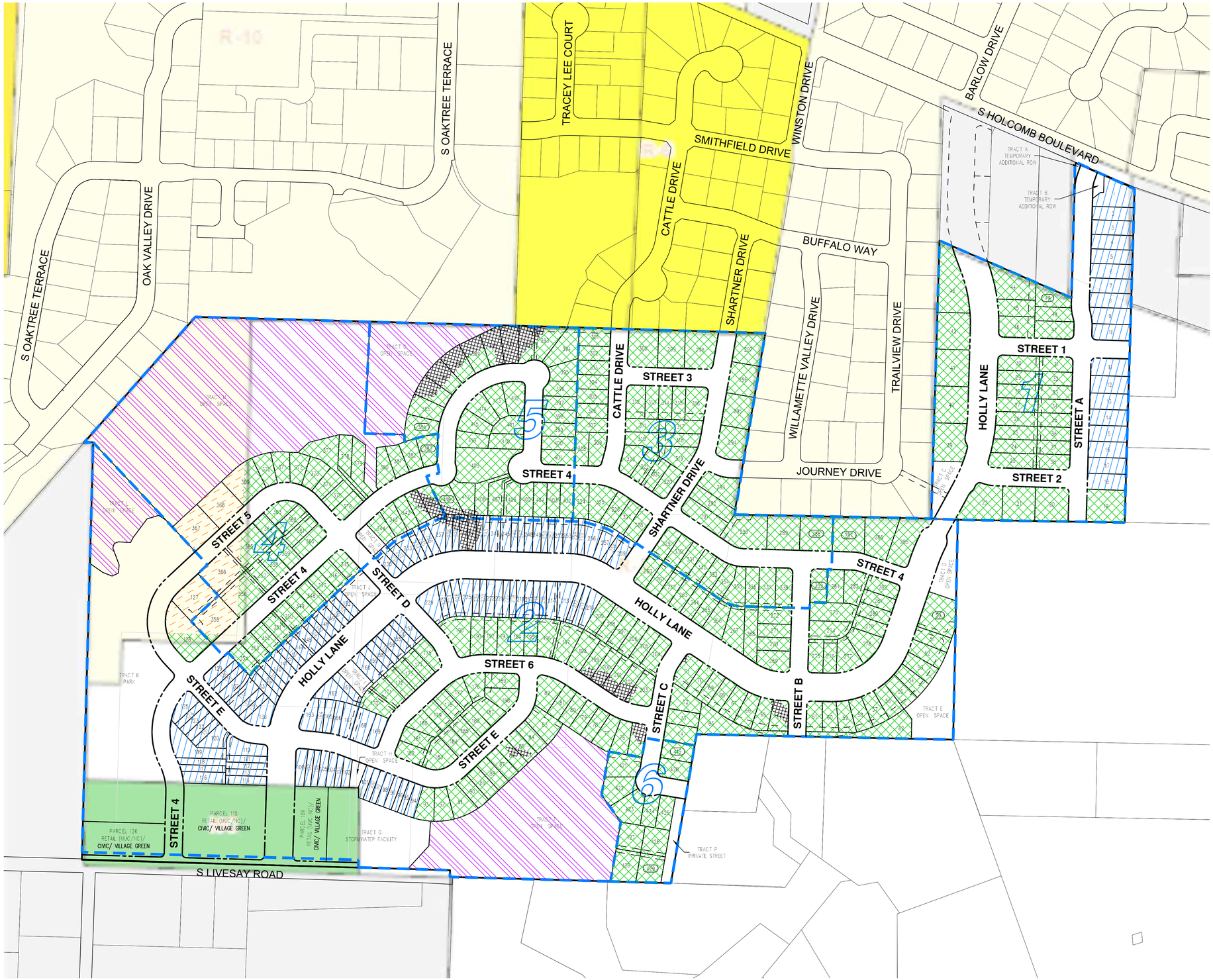
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-1

AKS DRAWING FILE: 7404 REVISED LAYOUT.DWG | LAYOUT: P-18



NOTE:

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2. PORTIONS OF THE MAPPED GEOLOGIC HAZARD – STEEP SLOPE AREAS WITHIN THE PARK PLACE CROSSING MASTER PLAN AREA PER OREGON CITY WEBMAPS ARE A RESULT OF MAN-MADE ACTIVITIES (I.E. HOUSES, DRIVEWAYS, ROADS, ETC.).

ZONING OVERLAY LEGEND:

- R-5
- R-6
- R-10
- NC

DENSITY STANDARDS:

R-5
- MINIMUM NET DENSITY – 7.0 DU/ACRE
- MAXIMUM NET DENSITY – 8.7 DU/ACRE (DETACHED)
- MAXIMUM NET DENSITY – 12.4 DU/ACRE (ATTACHED)

R-10
- MINIMUM NET DENSITY – 3.5 DU/ACRE
- MAXIMUM NET DENSITY – 4.4 DU/ACRE

CITY GEOLOGIC HAZARD OVERLAY AREA (SLOPES GREATER THAN 25%)
- MAXIMUM NET DENSITY – 2 DU/ACRE

DENSITY AREA SUMMARY:

R-5 ZONE DETACHED HOME AREA:	33.9± ACRE
R-5 ZONE ATTACHED HOME AREA:	9.9± ACRE
R-10 ZONE AREA:	1.5± ACRE
NROD CONSERVATION TRACT AREA:	13.9± ACRE
GEOLOGIC HAZARD AREA WITHIN DEVELOPABLE AREA: (SLOPES GREATER THAN 25%)	1.1± ACRE
RIGHT OF WAY:	21.6± ACRE

DENSITY CALCULATIONS

ACHIEVED DWELLING UNITS
426 DU

NET DEVELOPABLE AREA:
33.9 + 9.9 + 1.5 + 1.1 = 46.4 ACRE

ACHIEVED DENSITY:
426/46.4 = 9.2 DU/ACRE

MINIMUM DWELLING UNITS:
316 DU = 6.8*46.4

COMPOSITE MINIMUM RESIDENTIAL DENSITY:
((33.9/46.4)*7.0) + ((9.9/46.4)*7.0) +
((1.5/46.4)*3.5) + ((1.1/46.4)*2.0) = 6.8 DU/ACRE

MAXIMUM DWELLING UNITS:
427 DU = 9.2*46.4

COMPOSITE MAXIMUM RESIDENTIAL DENSITY:
((33.9/46.4)*8.7) + ((9.9/46.4)*12.4) +
((1.5/46.4)*4.4) + ((1.1/46.4)*2.0) = 9.2 DU/ACRE

MAXIMUM DWELLING UNITS WITH NROD DENSITY TRANSFER:
469 DU = 9.2*51.0

17.49.240 – NROD DENSITY TRANSFER:
13.9*(1/3) = 4.6 ACRE
46.4 + 4.6 = 51.0 ACRE

MAXIMUM DWELLING UNITS WITH 10% DENSITY INCREASE AND NROD DENSITY TRANSFER:
515 DU = 10.1*51.0

17.65.070.C.4 – INCREASE IN ALLOWED MAXIMUM RESIDENTIAL DENSITY OF UP TO TEN PERCENT:
9.2*110% = 10.1 DU/ACRE

N

SCALE: 1"=150 FEET
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REVISED OREGON CITY ZONE OVERLAY MAP AND DENSITY ANALYSIS
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

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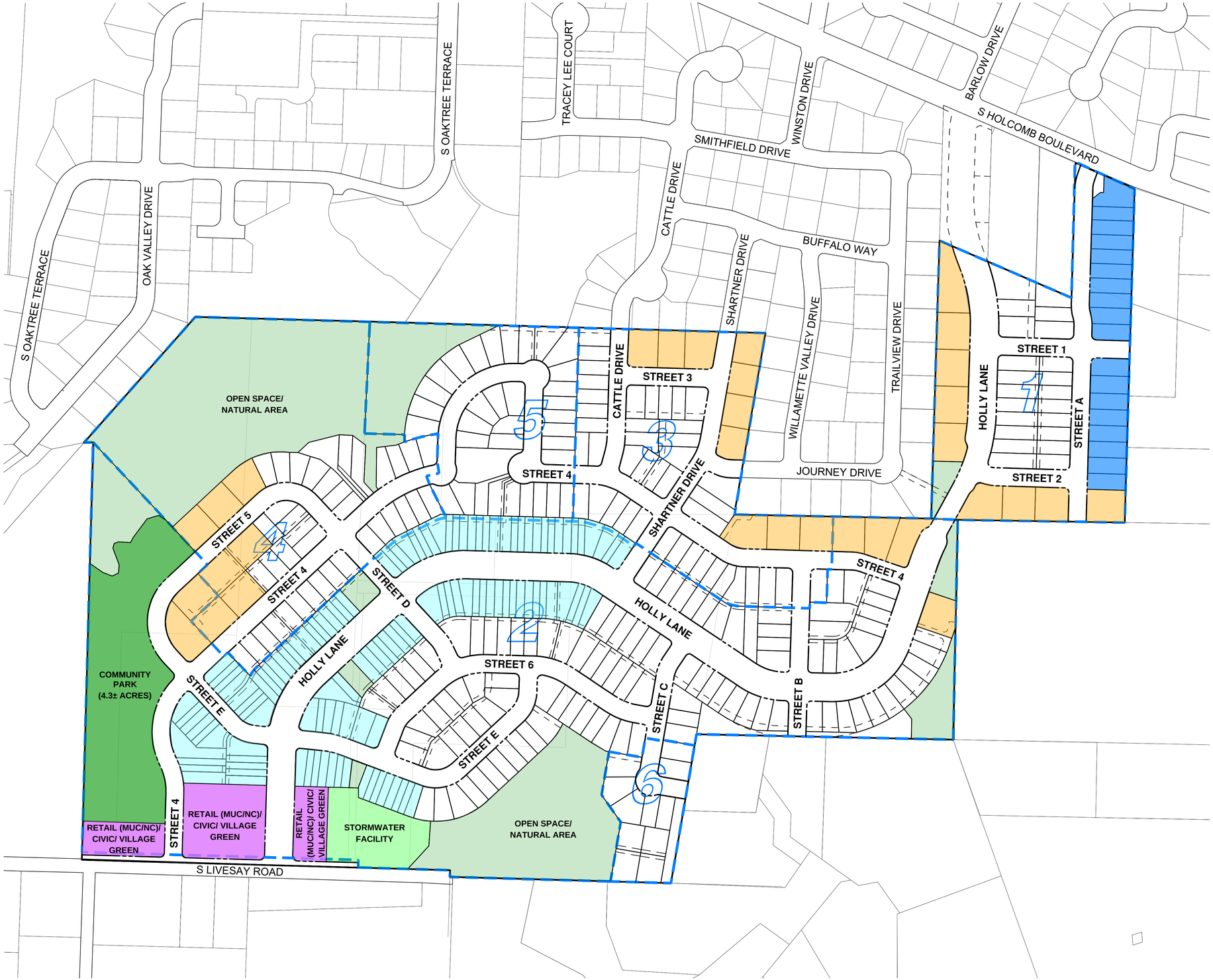
EXH-2

AKS DRAWING FILE: 7404 REVISED DENSITY-ZONING.DWG | LAYOUT: P-18



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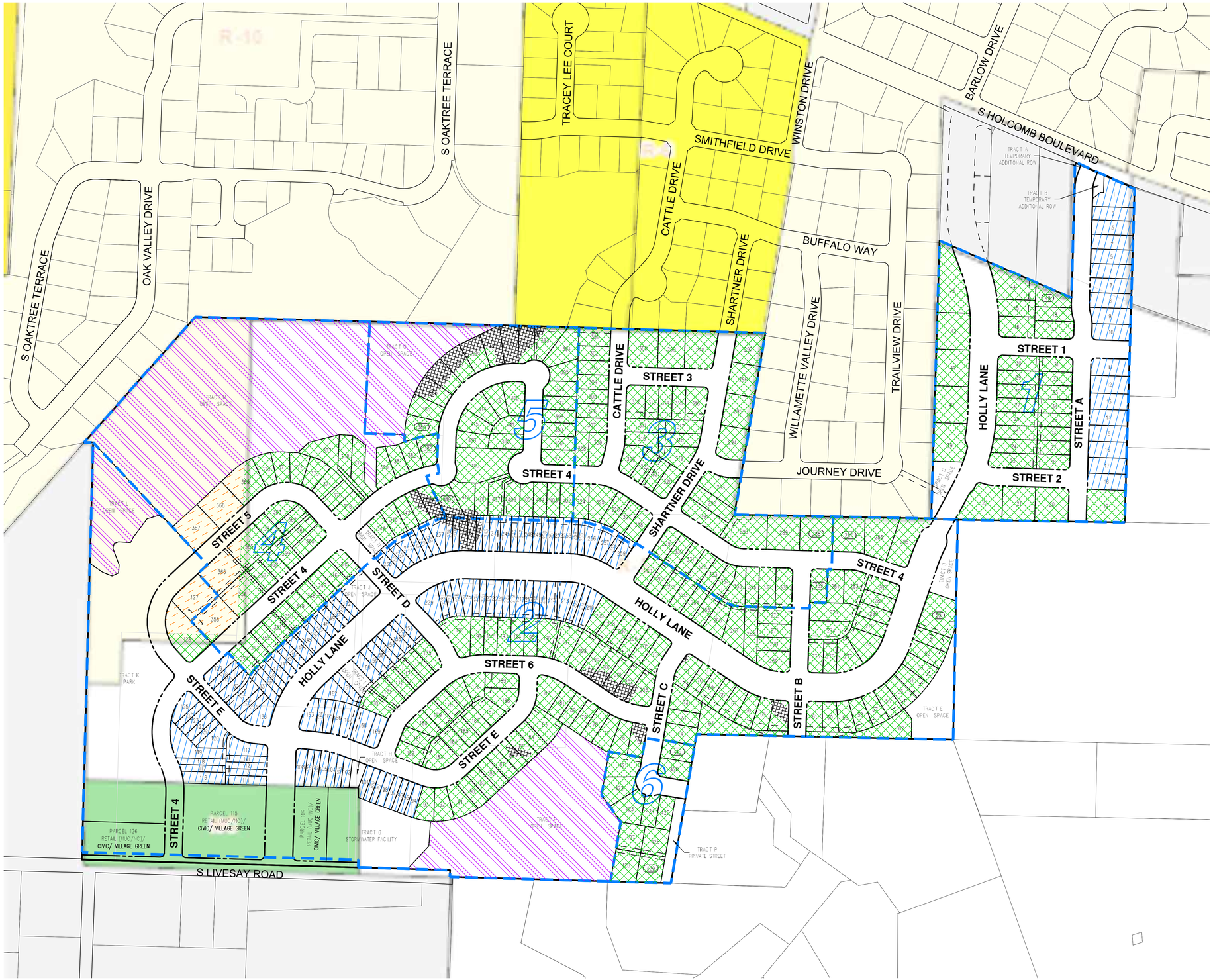

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RIGHT OF WAY:	21.6± ACRE

DENSITY CALCULATIONS

ACHIEVED DWELLING UNITS
426 DU

NET DEVELOPABLE AREA:
33.9 + 9.9 + 1.5 + 1.1 = 46.4 ACRE

ACHIEVED DENSITY:
426/46.4 = 9.2 DU/ACRE

MINIMUM DWELLING UNITS:
316 DU = 6.8*46.4

COMPOSITE MINIMUM RESIDENTIAL DENSITY:
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((1.5/46.4)*3.5) + ((1.1/46.4)*2.0) = 6.8 DU/ACRE

MAXIMUM DWELLING UNITS:
427 DU = 9.2*46.4

COMPOSITE MAXIMUM RESIDENTIAL DENSITY:
((33.9/46.4)*8.7) + ((9.9/46.4)*12.4) +
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MAXIMUM DWELLING UNITS WITH NROD DENSITY TRANSFER:
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17.49.240 – NROD DENSITY TRANSFER:
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EXH-2

AKS DRAWING FILE: 7404 REVISED DENSITY-ZONING.DWG | LAYOUT: P-18

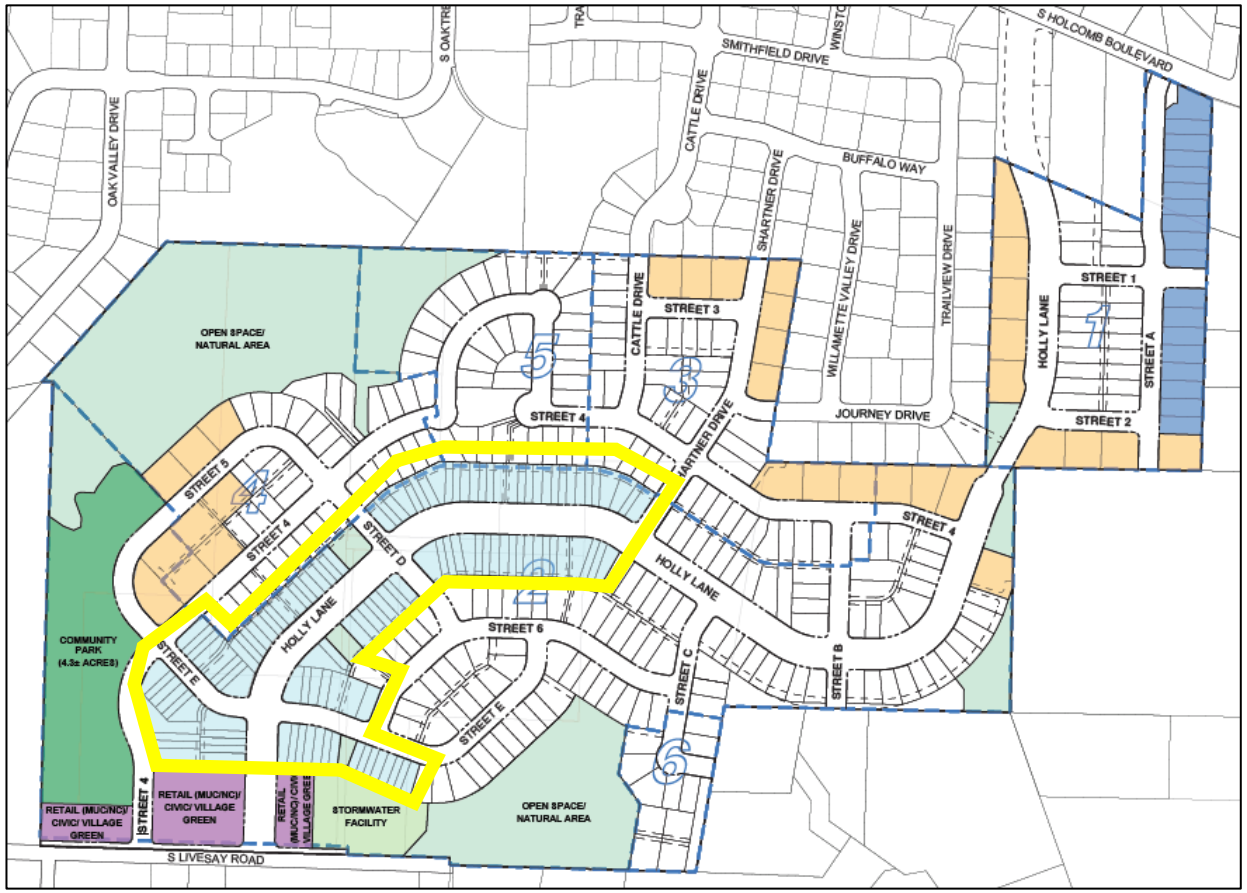
Attached Housing Examples
Park Place Crossing

City of Oregon City Case File Nos.:
GLUA-21-00045 / MAS 21-00006 / VAR-22-00001

AKS ENGINEERING & F

Attached single-family/townhomes

- Variance for 1,800-square-foot lots
  - Just for townhomes along Holly Lane (outlined in yellow in figure to left)
  - Not near perimeter of project
  - Needed because applicable code requires 3,500 square feet for townhomes
  - Townhomes do not fit the type/size of lot required by code
  - Current code for the R-5 district permits 1,300-square-foot townhome lots
  - Min 1,927 SF lots (int. units), Avg. 2,771 SF lots, Max 5,397 SF lots (end units)
- These types of homes provide greater opportunities for affordability and ownership
- Examples of these style of homes are provided



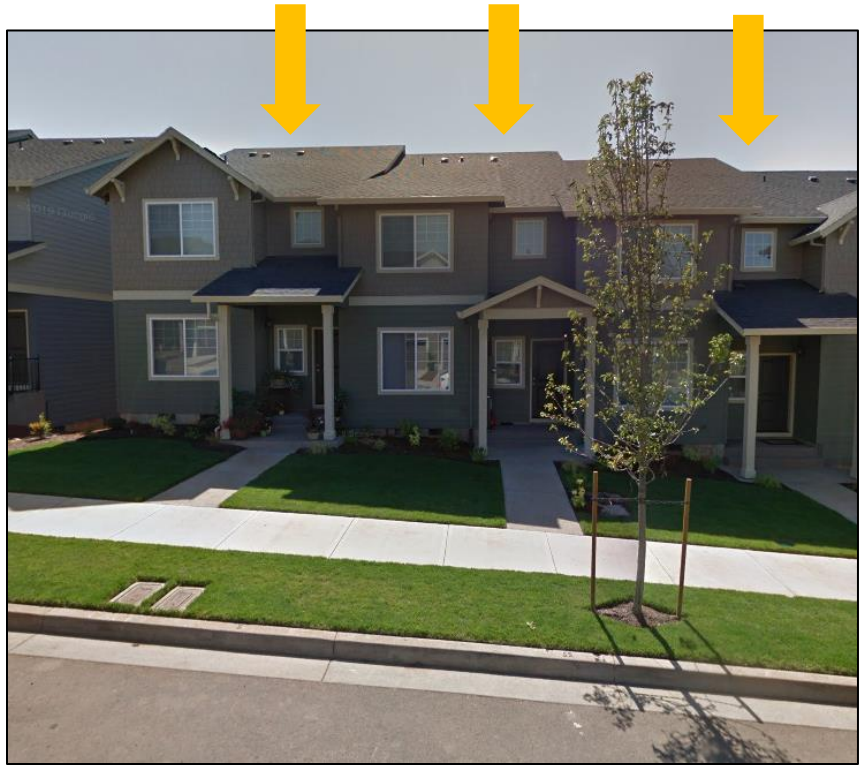
Examples in Oregon City

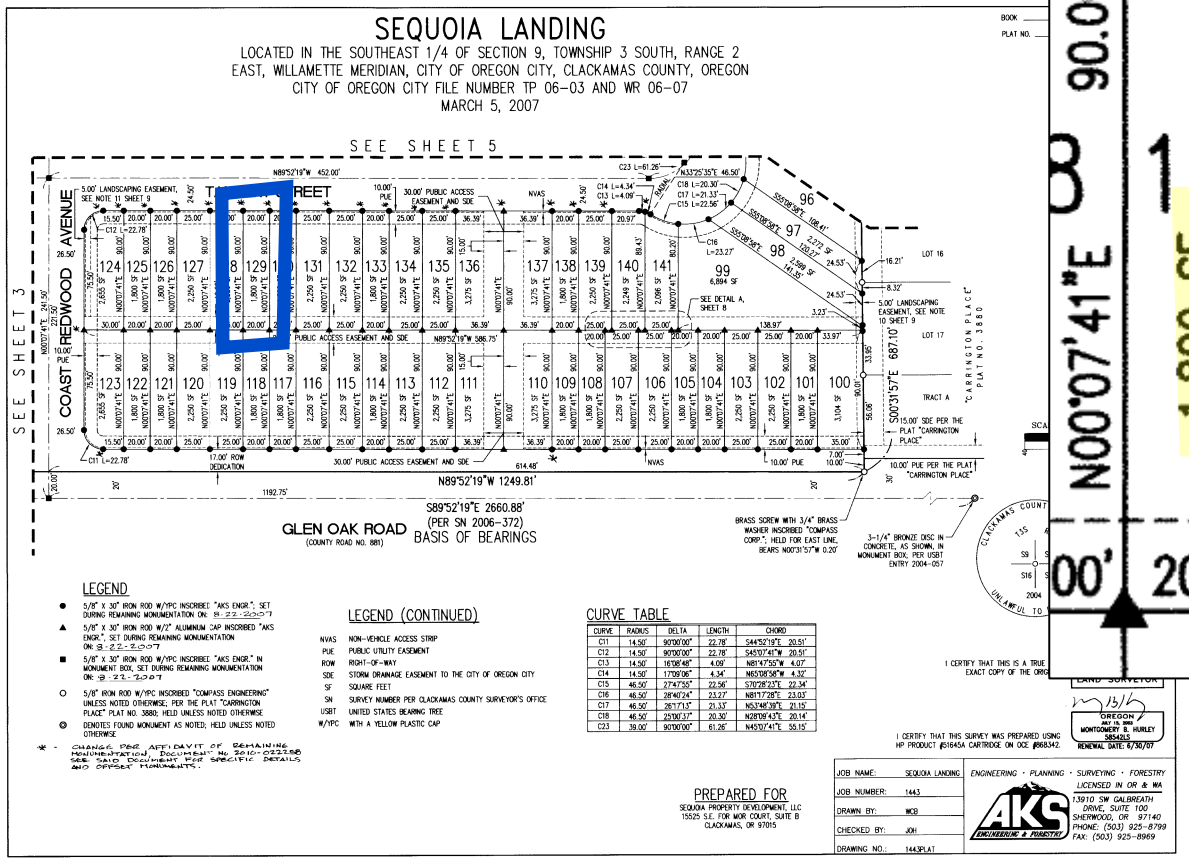
- Similar lots
  - Alley and street access
  - ±1,800 square feet in area
  - Located in neighborhoods that provide a variety of housing types

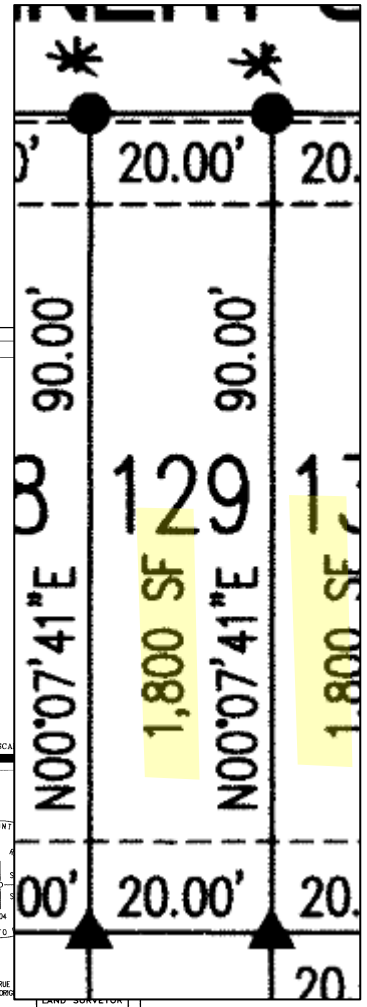
Sequoia Landing – Oregon City

Attached single-family / townhomes
(Numerous addresses) Tannery Street (interior units)

1,800 square feet - 20’ x ±90’
4 dwelling units with alley garage



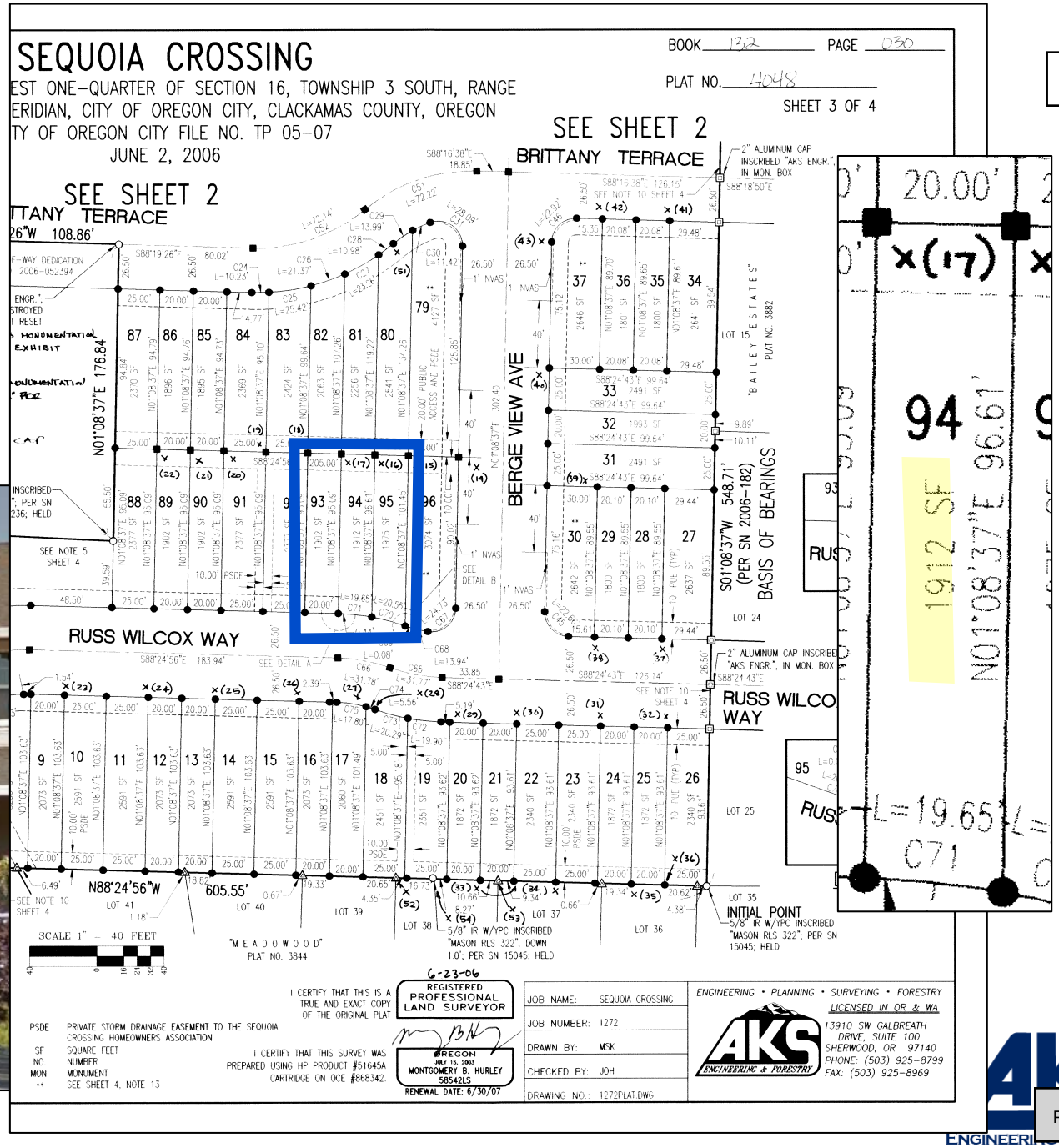




Sequoia Crossing – Oregon City, OR

Attached single-family / townhomes
14231, 14237, 14243 Russ Wilcox Way (interior)

1,912 square feet - 20’ x 97’
5 dwelling units with alley garage

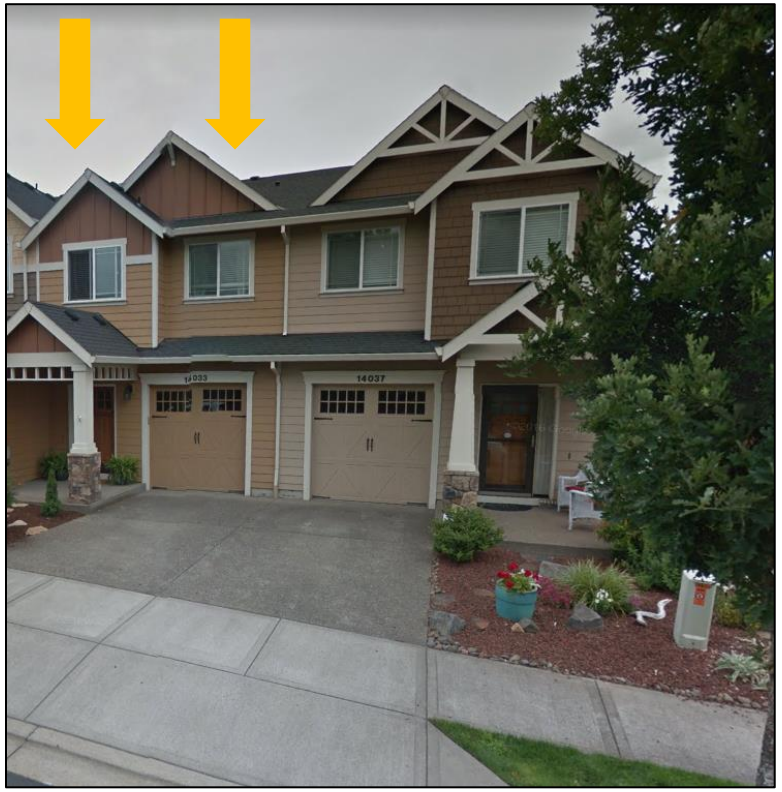


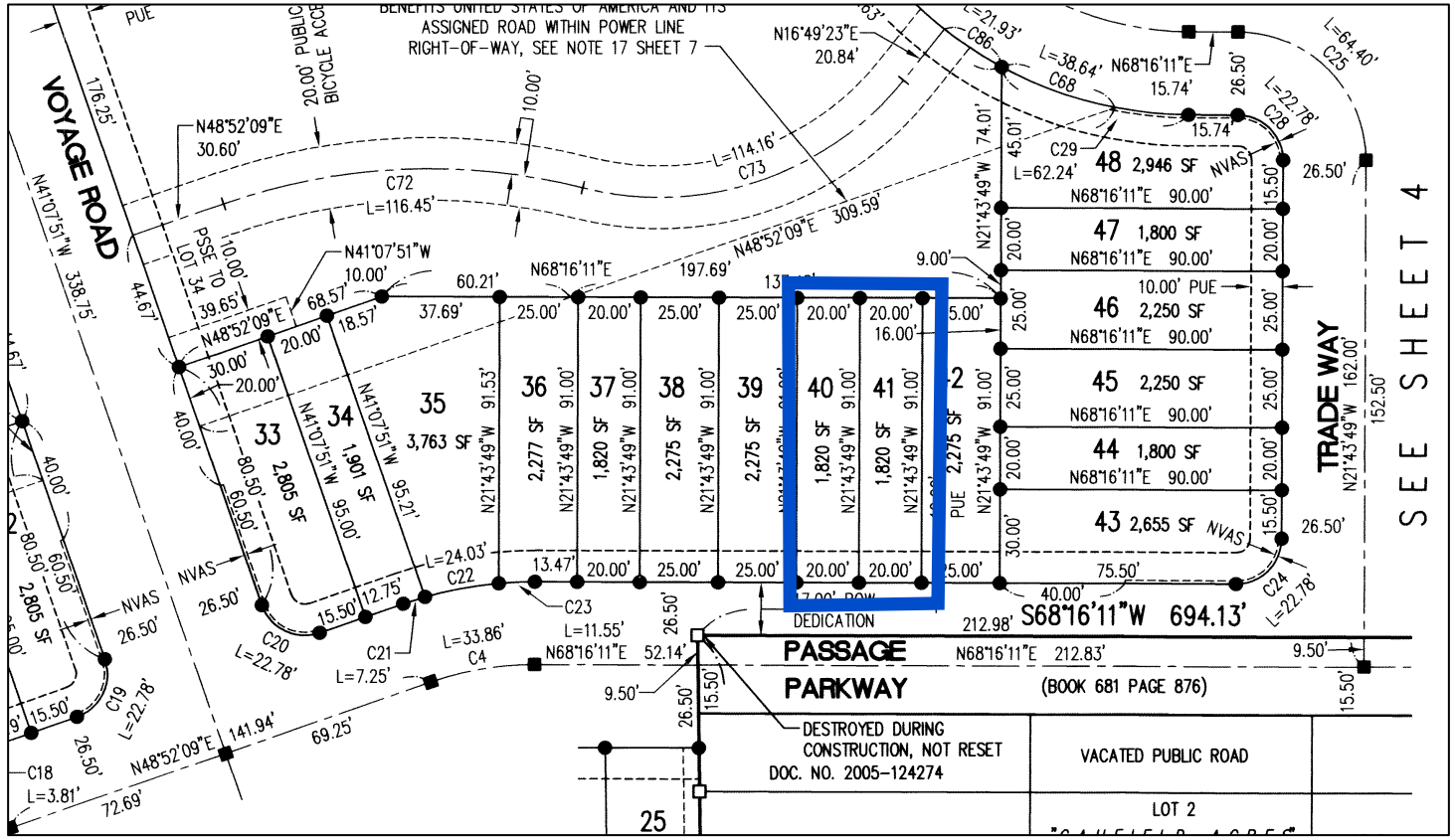
Item #2.

Caufield Place – Oregon City, OR

Attached single-family / townhomes
14029, 14033 Passage Parkway (interior lots)

1,800 square feet - 20’ x ±90’
4 units with front garage





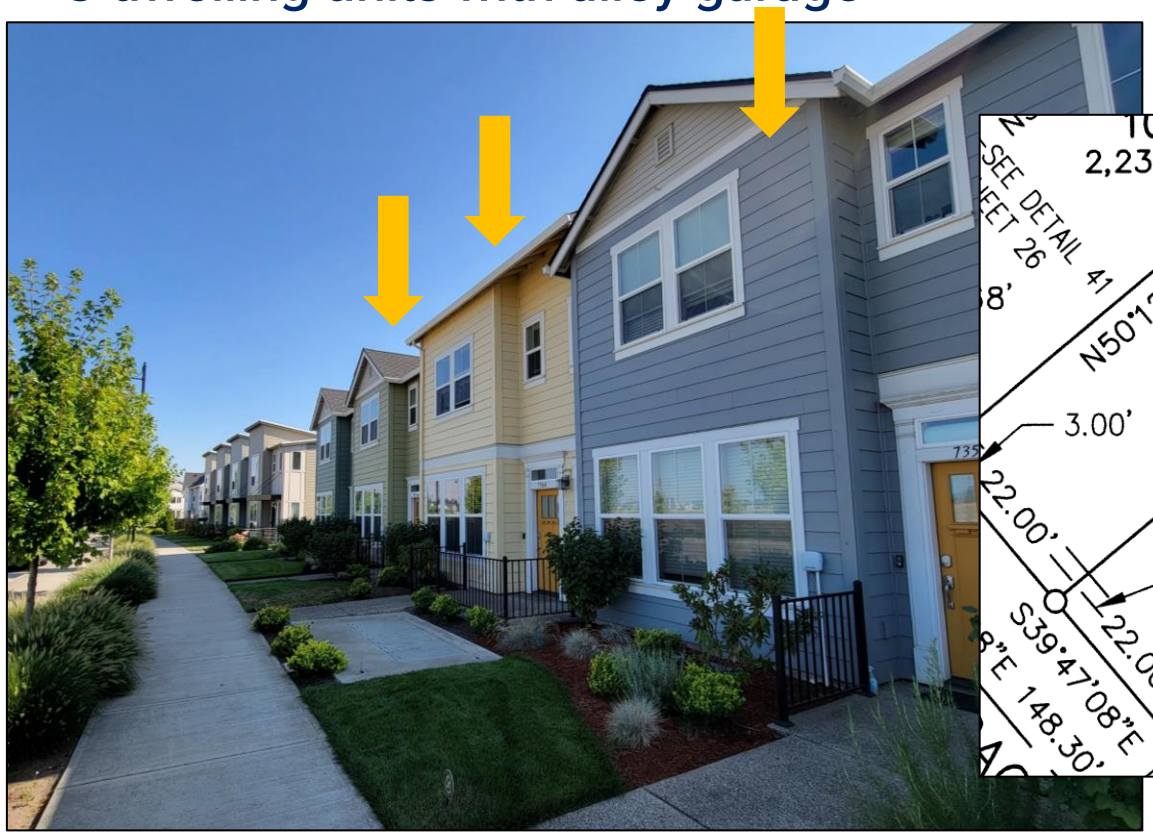
Reed's Crossing – Hillsboro, OR

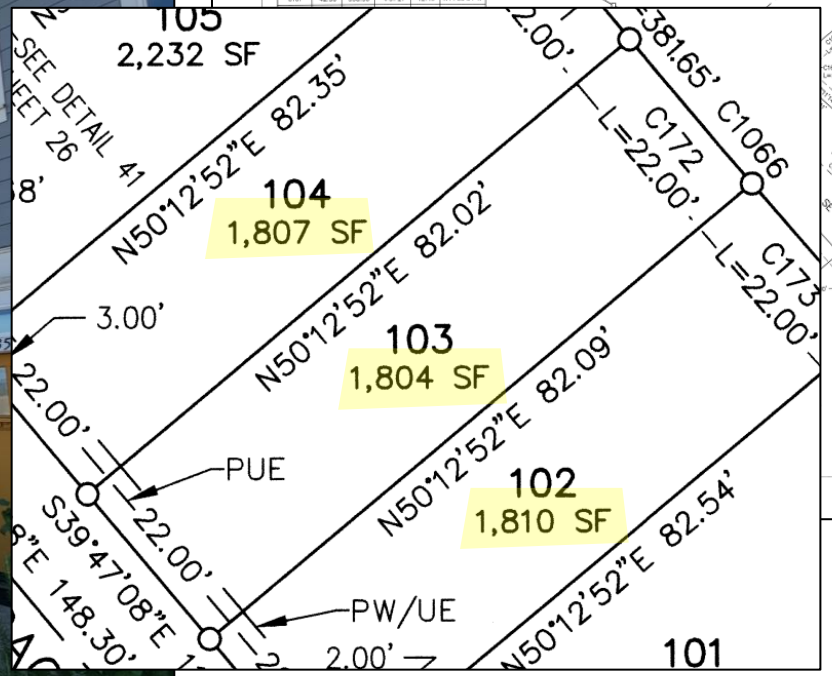
- Designed to be a mixed-use community with shopping, dining, schools, and parks
- Construction currently underway
- Provides a variety of housing types centered around a commercial and park areas, similar to the Park Place North Village
- Award winning community for livability and master planning

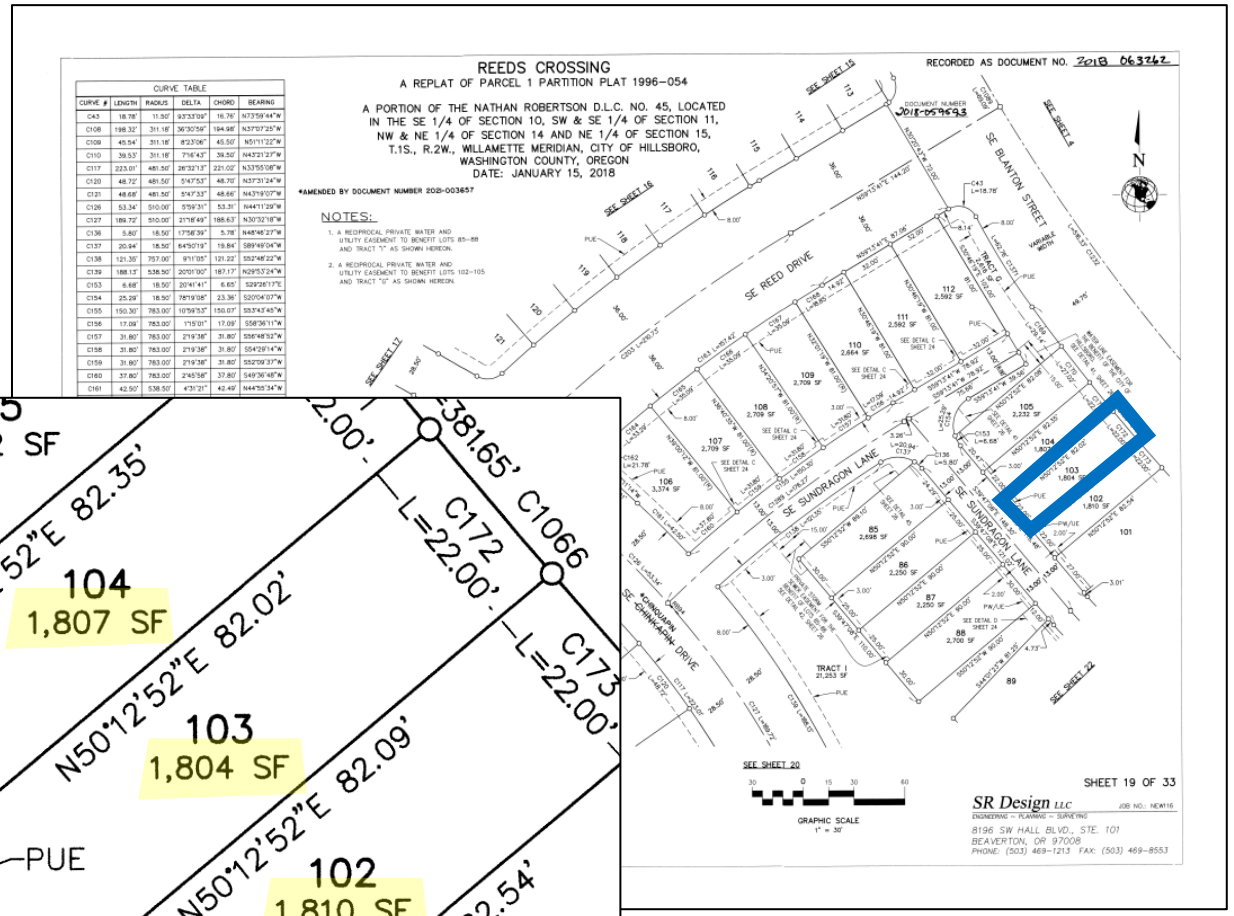
Reed's Crossing – Hillsboro

Attached single-family / townhomes
7352, 7364, 7376 SE Blanton Street (interior)

1,804 square feet - 22' x 82'
5 dwelling units with alley garage



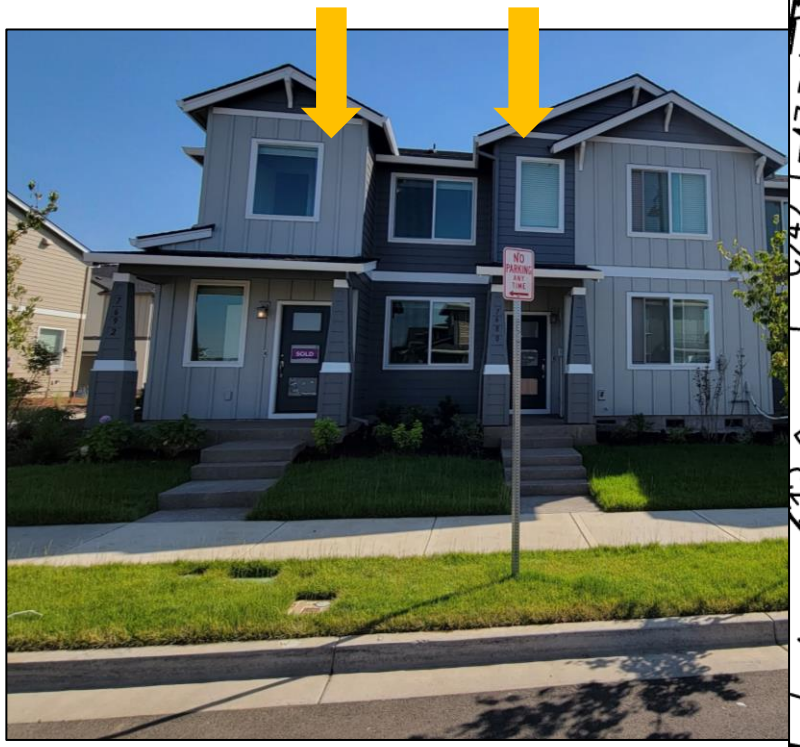


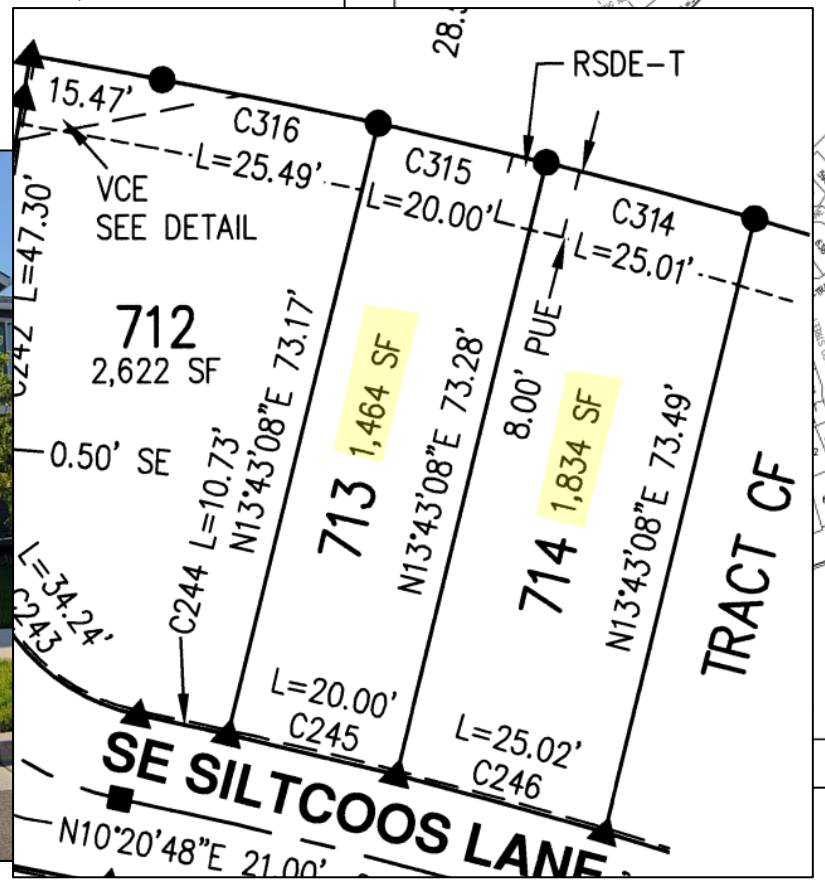


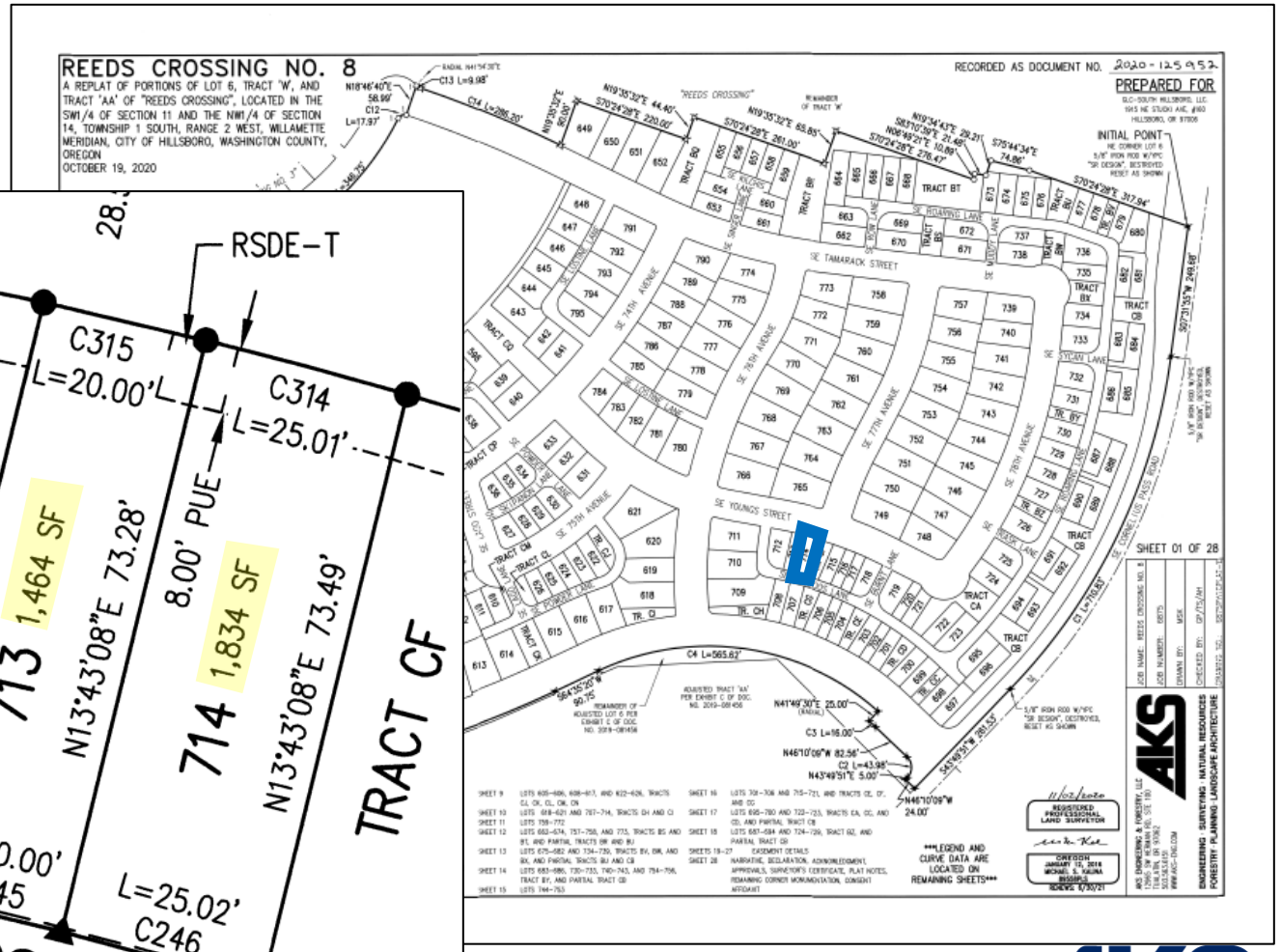
Reed's Crossing – Hillsboro

Attached single-family / townhomes
7680, 7692 SE Youngs Street

1,834 square feet - 25' x 73' (end unit)
1,454 SF – 20' x 73' (interior)
3 dwelling units with alley garage







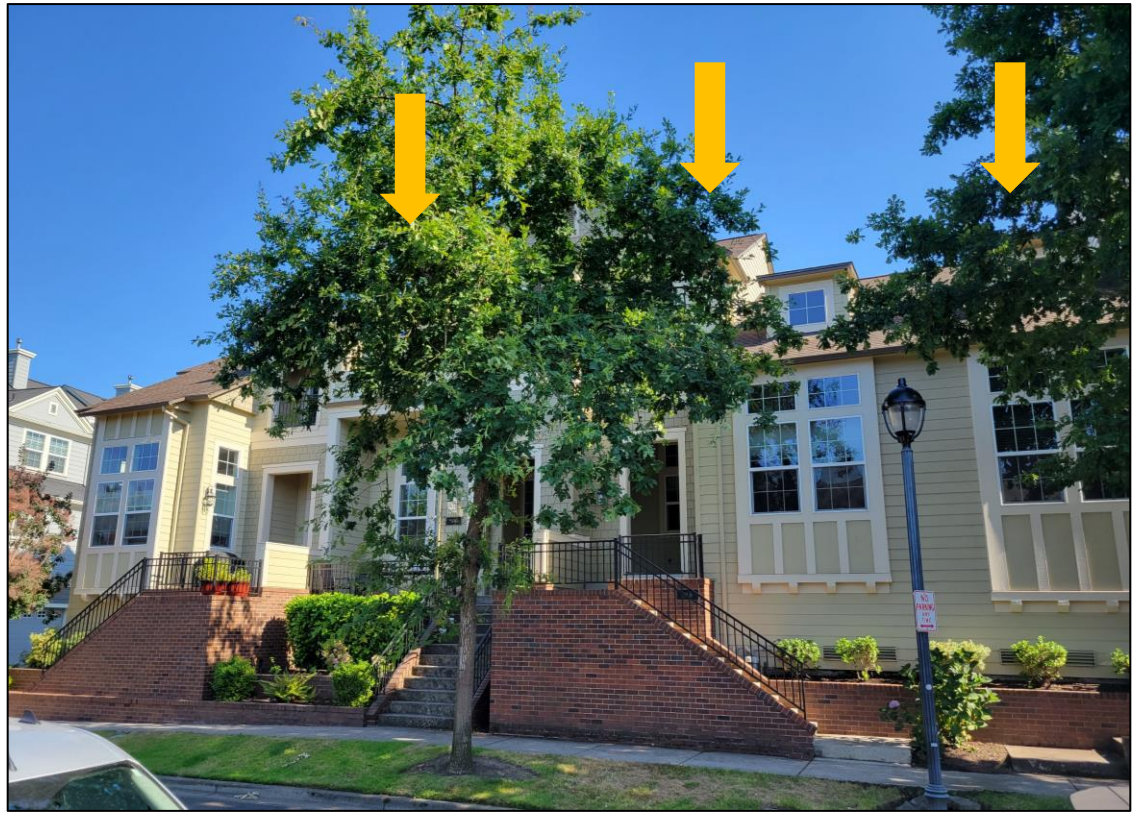
Orenco Station – Hillsboro, OR

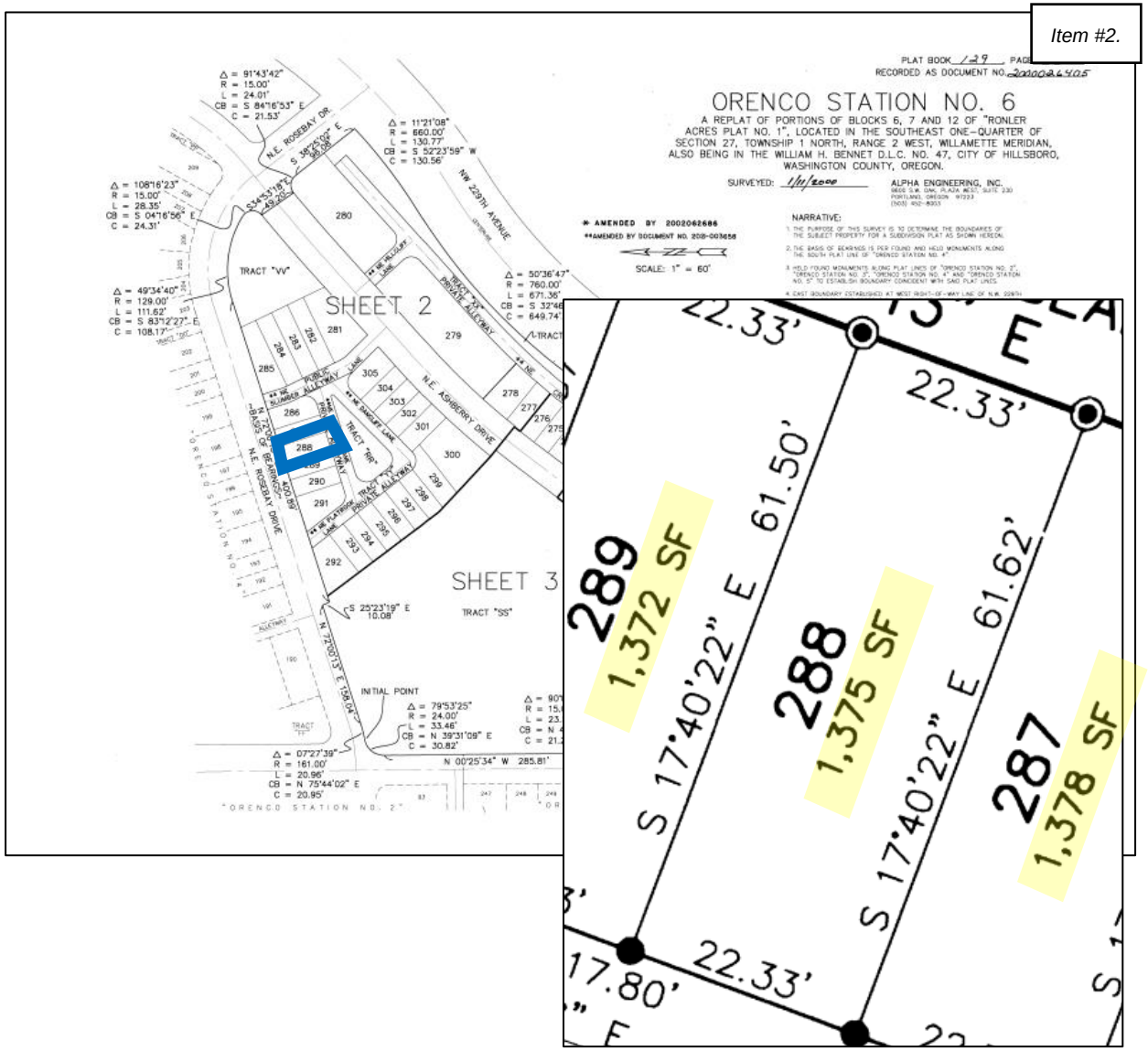
- Designed to be a mixed-use pedestrian-friendly community
- Completed in 2003
- Provides a variety of housing types centered around commercial and park areas, similar to the Park Place North Village
- Winner of numerous awards for livability and master planning

Orenco Station – Hillsboro

Attached single-family / townhomes
6610 NE Rosebay Drive

1,375 square feet - 22’ x 62’
6 dwelling units with alley garage





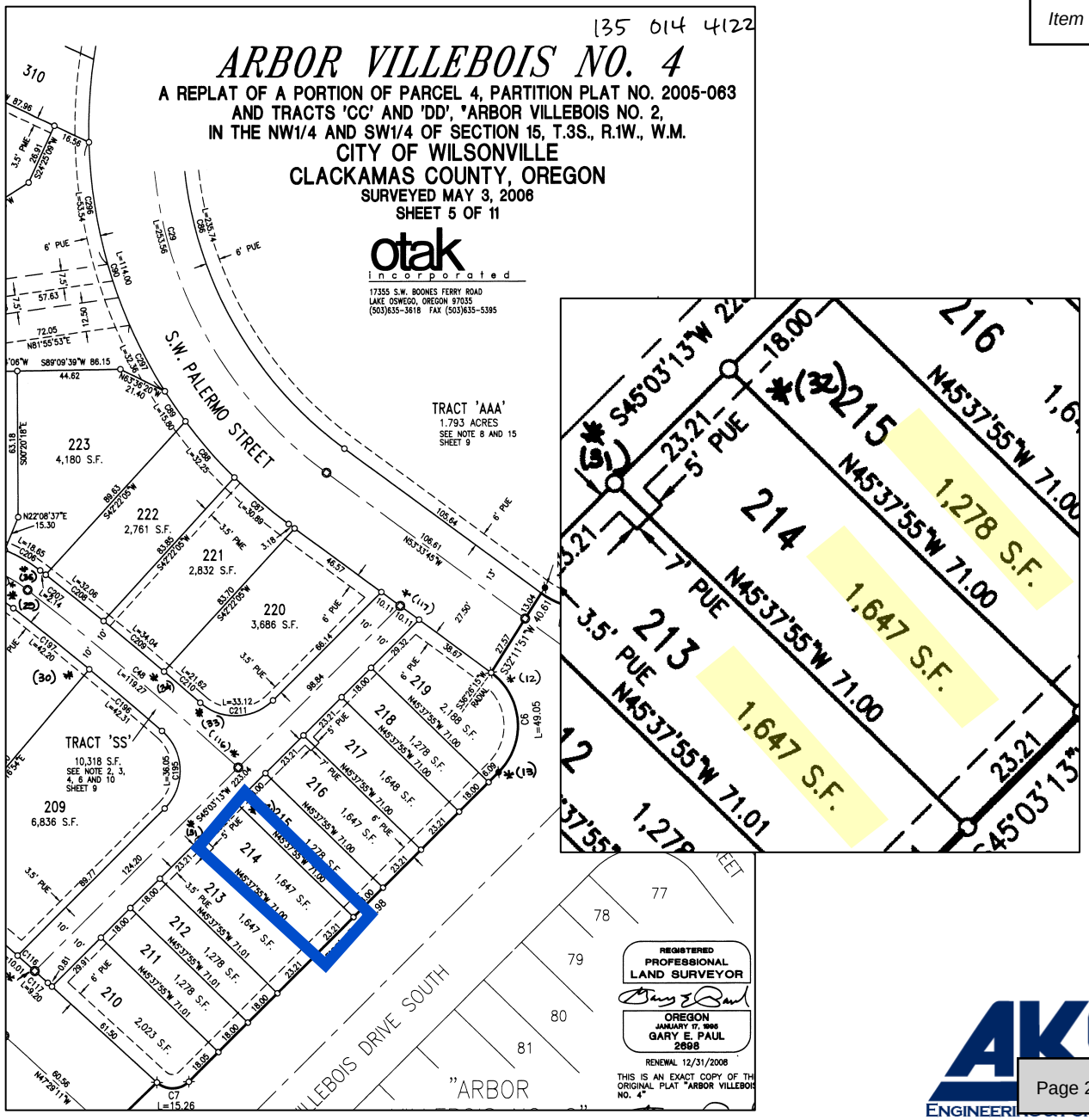
Villebois – Wilsonville, OR

- Designed to around parks and Village Center
- Provides a variety of housing types within walkable neighborhoods
- Winner of numerous awards including Community of the Year
- Similar settings for comparison
  - Edge of UGB
  - Adjacent to existing neighborhoods
  - Master Planned community
  - Variety of housing types/densities

Villebois – Wilsonville

Attached single-family / townhomes
29267, 29273, 29253 SW Villebois Drive

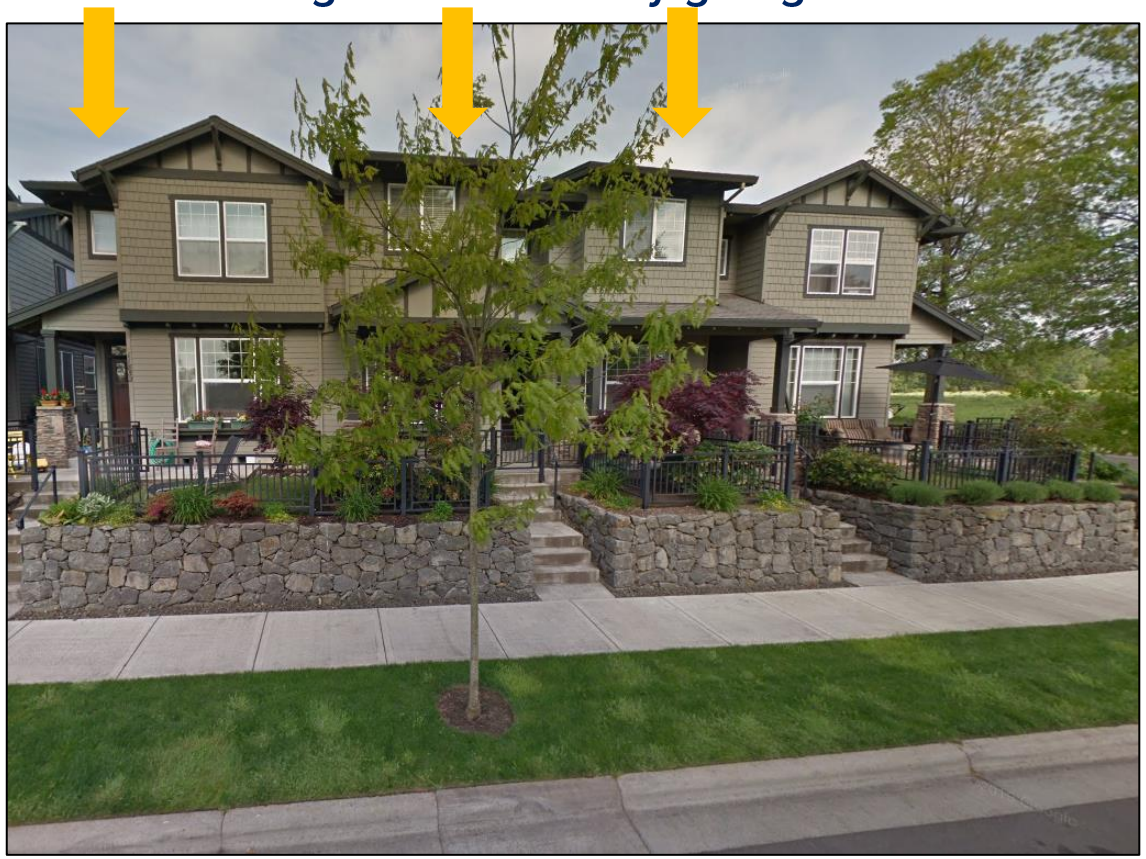
1,647 square feet – 23 x 71’ (end)
1,278 square feet – 18’ x 71’ (interior)
3 dwelling units with alley garage

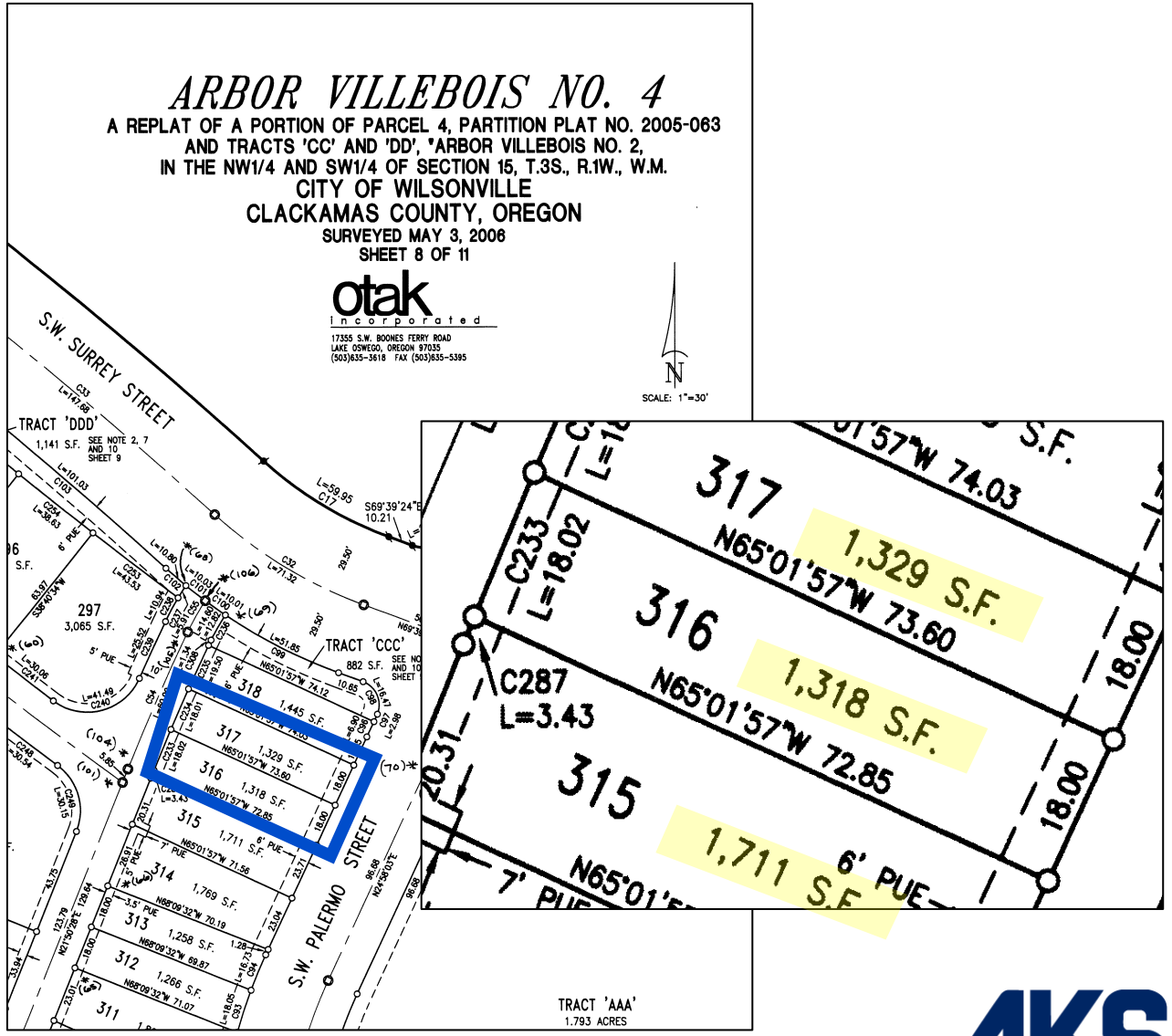


Villebois – Wilsonville

Attached single-family / townhomes
11852, 11856, 11860 SW Palermo Street

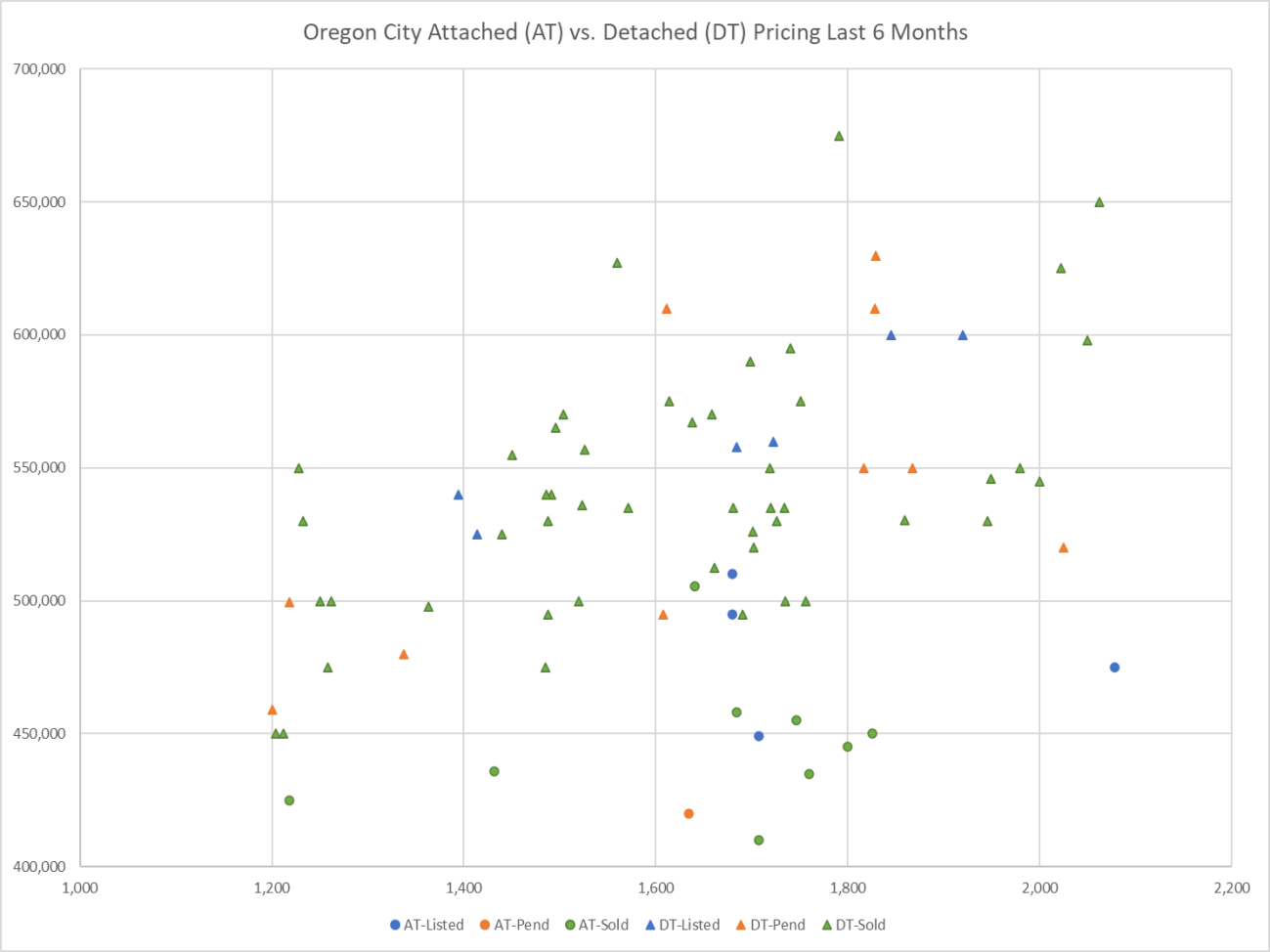
1,318 square feet - 18’ x ±73’ (interior)
1,711 square feet – 20’x 73’ (end)
4 dwelling units with alley garage





Attached Affordability in Oregon City

- RMLS Market data for last 6 months
- Attached vs. detached of comparable square footage
- Attached homes were generally less expensive than detached homes
- Average 22-26% premium for detached housing
- Therefore, attached homes provide for more affordability, more opportunity for housing diversity, and greater opportunities for home ownership



Attached Affordability in Oregon City

Oregon City
Listed, Pending and Sold for Comparable Size
Prior 6 months (as of 7/28/2022)

		SF			Price ($)			Price ($/SF)		
	Count	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg
AT-Listed	4	1,680	2,078	1,786	449,000	510,000	482,250	228.59	303.57	272.46
DT-Listed	6	1,394	1,920	1,663	525,000	599,900	563,783	312.45	387.30	342.12
				Prem ($)	76,000	89,900	81,533	83.86	83.73	69.67
				Prem (%)	17%	18%	17%	37%	28%	26%
AT-Pend	1	1,634	1,634	1,634	419,900	419,900	419,900	256.98	256.98	256.98
DT-Pend	10	1,200	2,025	1,634	459,000	629,900	540,285	256.74	410.10	337.00
				Prem ($)	39,100	210,000	120,385	-0.24	153.12	80.02
				Prem (%)	9%	50%	29%	0%	60%	31%
AT-Sold	9	1,218	1,826	1,646	409,900	505,500	446,600	240.13	348.93	275.00
DT-Sold	48	1,204	2,062	1,617	450,000	675,000	540,890	272.35	447.88	339.33
				Prem ($)	40,100	169,500	94,290	32.22	98.95	64.34
				Prem (%)	10%	34%	21%	13%	28%	23%
AT-Avg	5	1,511	1,846	1,689	426,267	478,467	449,583	242.00	303.00	268.00
DT-Avg	21	1,266	2,002	1,638	478,000	634,933	548,319	281.00	415.00	339.00
				Prem ($)	51,733	156,466	98,736	39.00	112.00	71.00
				Prem (%)	12%	33%	22%	16%	37%	26%

lancaster mobley

321 SW 4th Ave., Suite 400
Portland, OR 97204
503.248.0313
lancastermobley.com

REGISTERED PROFESSIONAL ENGINEER 54853
OREGON JULY 9, 2001 TODD E. MOBLEY
EXPIRES 12/31/2022

Memorandum

To: **Oregon City Planning Commission**

Copy: **Harlan Borow, ICON Construction & Development**
Cody Street, AKS Engineering & Forestry

From: **Todd E. Mobley, PE**

Date: **June 29, 2022**

Subject: **Park Place Crossing General Development Plan: Trip Generation & Daily Traffic Volume Analysis**
GLUA-21-00045 / MAS-21-00006 / VAR-22-00001

Introduction

This memorandum is written to provide supplementary transportation analysis for various phasing and street accessibility options for the subject application. The analysis seeks to identify development scenarios that demonstrate how the site could build out without placing a significant traffic burden on local streets, keeping the average daily traffic volume (ADT) on local residential streets at or below 2,000 vehicles per day.

Phased Access Scenarios

The following scenarios are examined in this analysis. Each scenario is shown graphically in the attached exhibits (EXH-1 through EXH-4) prepared by AKS Engineering & Forestry.

Phase 1

This is simply the first phase of development, consisting of a total of 59 detached single-family homes, all with access to Holcomb Boulevard via Street A. Emergency vehicle access will be available via a connection to Shartner Drive. Refer to EXH-1.

Phases 1 & 2

For this scenario, all vehicular access continues to be vis Street A to Holcomb Boulevard with emergency vehicle access available via Shartner Drive. With full buildout of Phase 1 and partial buildout of Phase 2, there will be a total of 182 detached single-family homes and 36 attached single-family homes. Refer to EXH-2.

Phases 1, 2, & 3

With three phases of development, additional street connections will be made to Cattle Drive, Shartner Drive, and Journey Drive. For this scenario, the ADT on Winston Drive is examined, since this is the single point of access to Holcomb Boulevard for the neighborhood and therefore has the highest traffic volume of any of the connecting local streets. It is important to note that volumes on Cattle Drive, Shartner Drive, and Journey Drive will be lower than what is shown here. The three phases, with partial buildout of Phase 2, have a total of 253 detached single-family homes and 36 attached single-family homes. It is important to note that in this scenario,

all Phase 3 trips will utilize Winston Drive since connections to Phase 2 streets (Street 4, Street B, and Shartner Drive) will be limited to pedestrians, bicycles, and emergency vehicles. Refer to EXH-3.

All Phases

This scenario represents full build out of the development that is proposed as part of this General Development Plan. Connection of Holly Lane (Collector) to Holcomb Boulevard (Arterial) will be in place and access restrictions along the local streets between Phases 2 and 3 referenced in the prior scenario will be removed. Refer to Exhibit EXH-4.

Trip Generation & Local Street ADT

As with the original Transportation Impact Study[1], trip generation is calculated based on data available in the Trip Generation Manual[2]. Table 1 below summarizes the findings of each phase.

Table 1: Trip Generation & Local Street ADT Summary

Scenario	Housing Type		ADT at Holcomb Boulevard		
	Detached Single-Family	Attached Single-Family	Street A	Winston Drive	Holly Lane (Collector)
Phase 1	59	0	622	878[1]	-
Phases 1 & 2	182	36	1,974	878[1]	-
Phases 1, 2, & 3	253	36	1,974	1,498[2]	-
Build Out	351	126	0[3]	1,509[4]	3,483

[1] Existing ADT on Winston Drive is 878 vehicles per day

[2] 620 new trips + 878 existing trips = 1,498 trips total

[3] Street A at Holcomb Boulevard restricted to emergency vehicle access with connection of Holly Lane

[4] 631 new trips + 878 existing trips = 1,509 trips total

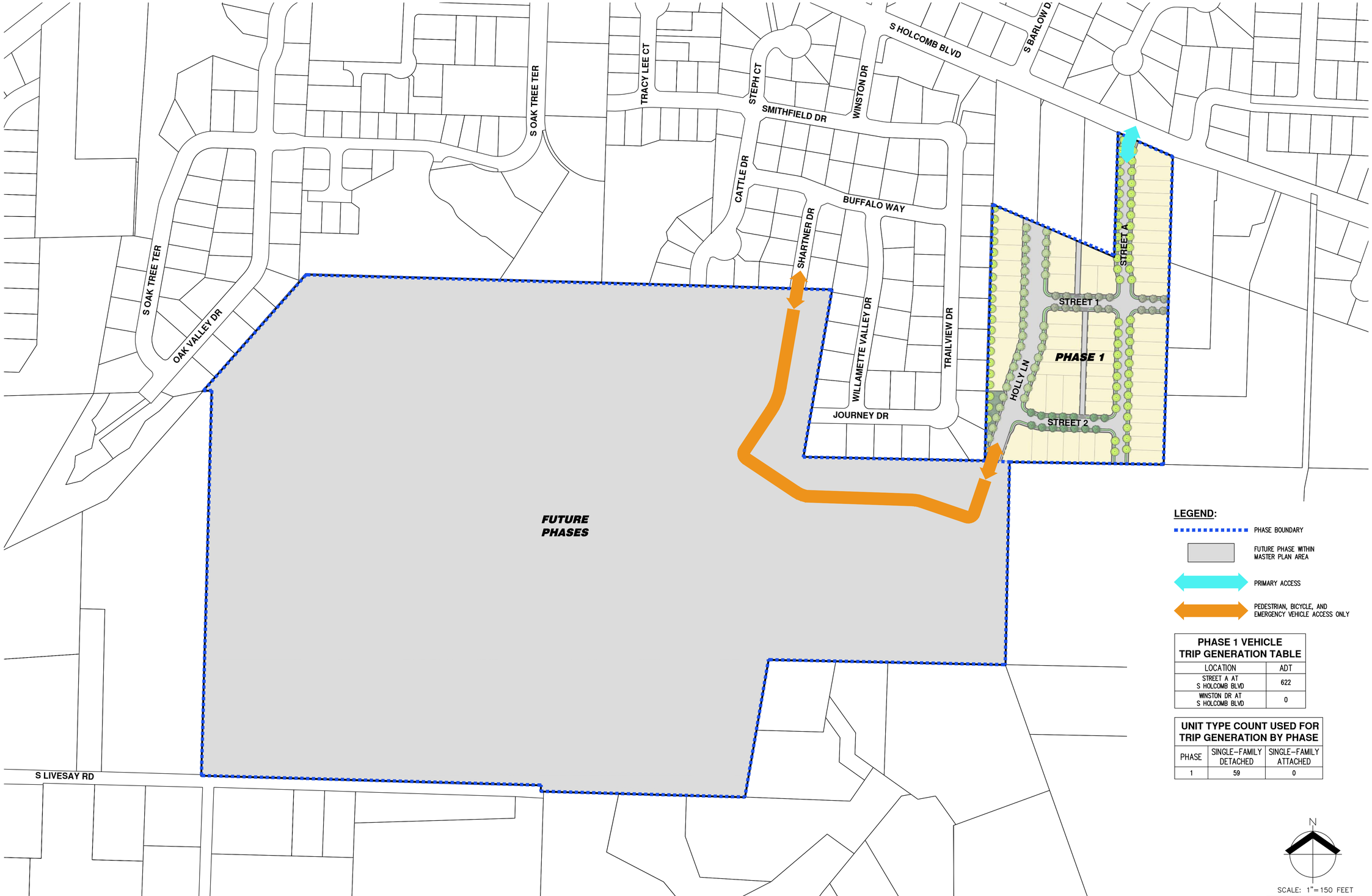
Detailed trip generation calculations by phase are attached to this memo that provide support for the summary provided above.

Under build-out conditions with Holly Lane connected to Holcomb Boulevard, the conservative worst-case assumption was made that half of the trips from phases 3-5 would utilize the existing neighborhood north of the site to reach Holcomb Boulevard. Drivers are better served by Holly Lane, which provides a more direct and higher-speed route. In practice, only the northern lots of phases 3 and 5 would be better served by the existing street network, particularly with traffic calming measures installed on existing streets, which the applicant will be conditioned to provide. However, to provide a worst-case analysis, more conservative assumptions regarding trip routing were made.

As demonstrated in this analysis, all local residential streets in the area including Winston Drive and all streets within the existing neighborhood north of the site will have under 2,000 vehicles per day with the phasing pattern shown and with the connection of Holly Lane to Holcomb Boulevard.

[1] *Park Place Crossing Master Plan*, Transportation Impact Study, dated January 13, 2022, by Lancaster Mobley

[2] *Trip Generation Manual*, 11th Edition, published by the Institute of Transportation Engineers (ITE), 2021



LEGEND:

- PHASE BOUNDARY
- FUTURE PHASE WITHIN MASTER PLAN AREA
- PRIMARY ACCESS
- PEDESTRIAN, BICYCLE, AND EMERGENCY VEHICLE ACCESS ONLY

PHASE 1 VEHICLE TRIP GENERATION TABLE

LOCATION	ADT
STREET A AT S HOLCOMB BLVD	622
WINSTON DR AT S HOLCOMB BLVD	0

UNIT TYPE COUNT USED FOR TRIP GENERATION BY PHASE

PHASE	SINGLE-FAMILY DETACHED	SINGLE-FAMILY ATTACHED
1	59	0

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TUALATIN, OR 97062
503.563.6151
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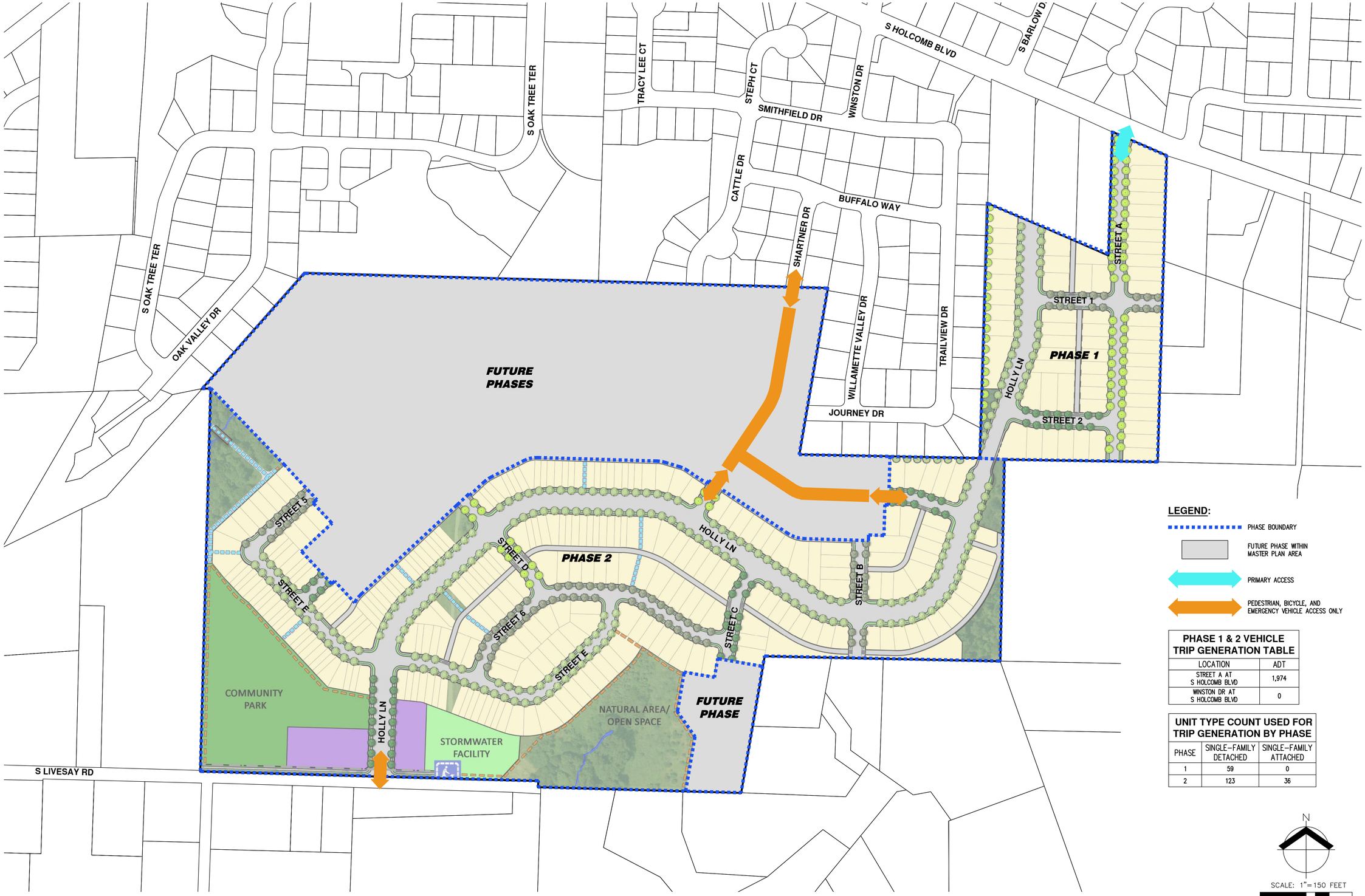
PHASED ACCESS EXHIBIT - PHASE 1
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	06/28/2022
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-1

AKS DRAWING FILE: 7404 INGRESS-EGRESS.DWG | LAYOUT: EXH1



LEGEND:

- PHASE BOUNDARY
- FUTURE PHASE WITHIN MASTER PLAN AREA
- PRIMARY ACCESS
- PEDESTRIAN, BICYCLE, AND EMERGENCY VEHICLE ACCESS ONLY

PHASE 1 & 2 VEHICLE TRIP GENERATION TABLE

LOCATION	ADT
STREET A AT S HOLCOMB BLVD	1,974
WINSTON DR AT S HOLCOMB BLVD	0

UNIT TYPE COUNT USED FOR TRIP GENERATION BY PHASE

PHASE	SINGLE-FAMILY DETACHED	SINGLE-FAMILY ATTACHED
1	59	0
2	123	36

N

SCALE: 1"=150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

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PHASED ACCESS EXHIBIT - PHASES 1 & 2
PARK PLACE CROSSING MASTER PLAN

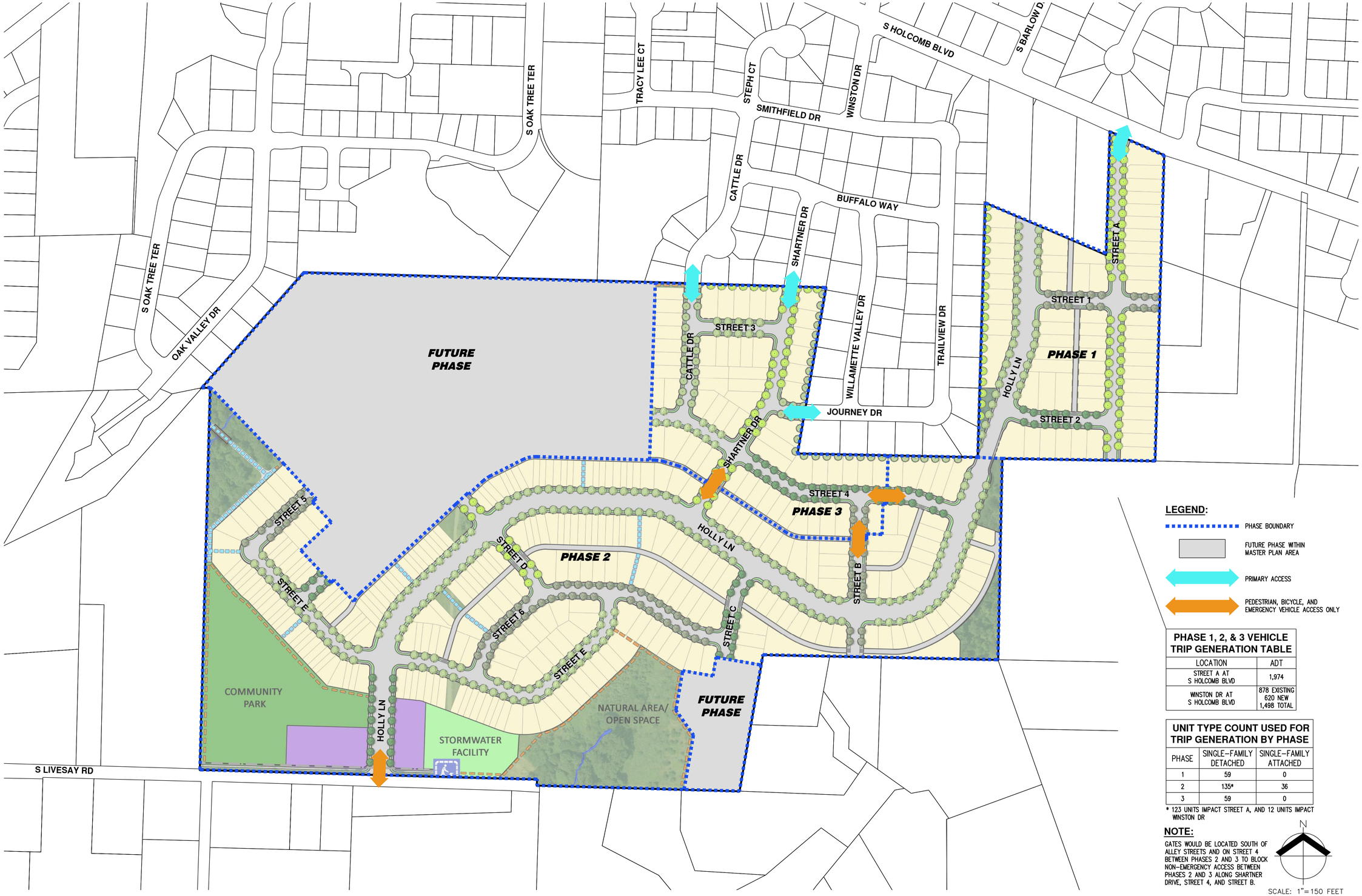
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	06/28/2022
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-2

AKS DRAWING FILE: 7404 INGRESS-EGRESS.DWG | LAYOUT: EXH2



LEGEND:

- PHASE BOUNDARY
- FUTURE PHASE WITHIN MASTER PLAN AREA
- PRIMARY ACCESS
- PEDESTRIAN, BICYCLE, AND EMERGENCY VEHICLE ACCESS ONLY

PHASE 1, 2, & 3 VEHICLE TRIP GENERATION TABLE

LOCATION	ADT
STREET A AT S HOLCOMB BLVD	1,974
WINSTON DR AT S HOLCOMB BLVD	878 EXISTING 620 NEW 1,498 TOTAL

UNIT TYPE COUNT USED FOR TRIP GENERATION BY PHASE

PHASE	SINGLE-FAMILY DETACHED	SINGLE-FAMILY ATTACHED
1	59	0
2	135*	36
3	59	0

* 123 UNITS IMPACT STREET A, AND 12 UNITS IMPACT WINSTON DR

NOTE:

GATES WOULD BE LOCATED SOUTH OF ALLEY STREETS AND ON STREET 4 BETWEEN PHASES 2 AND 3 TO BLOCK NON-EMERGENCY ACCESS BETWEEN PHASES 2 AND 3 ALONG SHARTNER DRIVE, STREET 4, AND STREET B.

N

SCALE: 1"=150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

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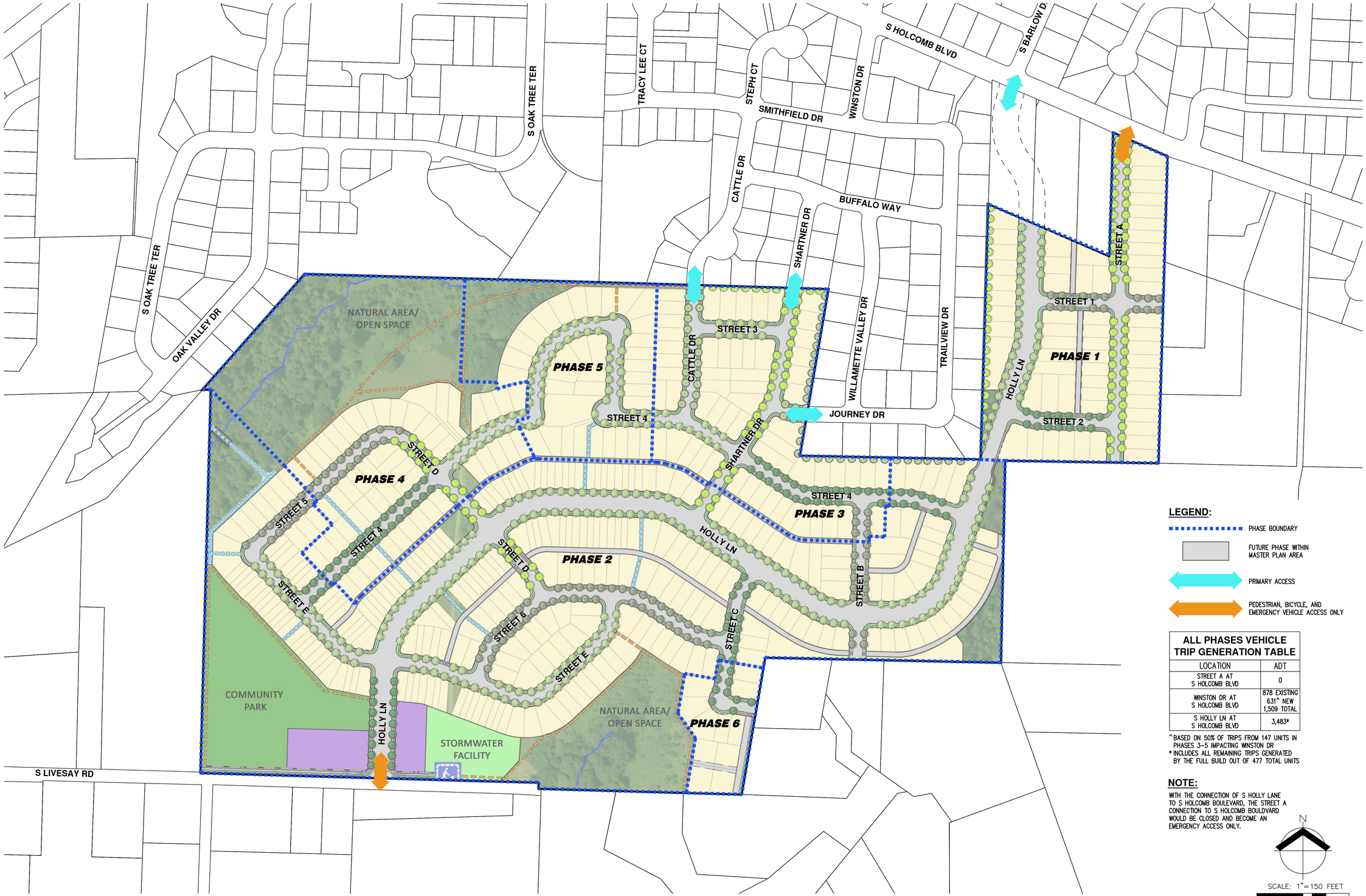
PHASED ACCESS EXHIBIT - PHASES 1, 2, & 3 (ALTERNATE)
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	06/28/2022
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-3

AKS DRAWING FILE: 7404 INGRESS-EGRESS.DWG | LAYOUT: EXH3



LEGEND:

- PHASE BOUNDARY
- FUTURE PHASE WITHIN MASTER PLAN AREA
- PRIMARY ACCESS
- PEDESTRIAN, BICYCLE, AND EMERGENCY VEHICLE ACCESS ONLY

ALL PHASES VEHICLE TRIP GENERATION TABLE

LOCATION	ADT
STREET A AT S HOLCOMB BLVD	0
WINSTON DR AT S HOLCOMB BLVD	878 EXISTING 631^ NEW 1,509 TOTAL
S HOLLY LN AT S HOLCOMB BLVD	3,483*

^ BASED ON 50% OF TRIPS FROM 147 UNITS IN PHASES 3–5 IMPACTING WINSTON DR
* INCLUDES ALL REMAINING TRIPS GENERATED BY THE FULL BUILD OUT OF 477 TOTAL UNITS

NOTE:

WITH THE CONNECTION OF S HOLLY LANE TO S HOLCOMB BOULEVARD, THE STREET A CONNECTION TO S HOLCOMB BOULDVARD WOULD BE CLOSED AND BECOME AN EMERGENCY ACCESS ONLY.

N

SCALE: 1"=150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

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PHASED ACCESS EXHIBIT - ALL PHASES
PARK PLACE CROSSING MASTER PLAN

OREGON CITY, OR

PRELIMINARY
NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	06/28/2022
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-4

AKS DRAWING FILE: 7404 INGRESS-EGRESS.DWG | LAYOUT: EXH4

TRIP GENERATION CALCULATIONS
Phase 1

Land Use: Single-Family Detached Housing
Land Use Code: 210
Setting/Location General Urban/Suburban
Variable: Dwelling Units
Variable Value: 59

AM PEAK HOUR

Trip Equation: Ln(T)=0.91Ln(X)+0.12

	Enter	Exit	Total
Directional Distribution	26%	74%	
Trip Ends	12	34	46

PM PEAK HOUR

Trip Equation: Ln(T)=0.94Ln(X)+0.27

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	38	23	61

WEEKDAY

Trip Equation: Ln(T)=0.92Ln(X)+2.68

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	311	311	622

SATURDAY

Trip Equation: Ln(T)=0.97Ln(X)+2.40

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	288	288	576

Source: Trip Generation Manual, 11th Edition

TRIP GENERATION CALCULATIONS
Phases 1 & 2

Land Use: Single-Family Detached Housing
Land Use Code: 210
Setting/Location General Urban/Suburban
Variable: Dwelling Units
Variable Value: 182

AM PEAK HOUR

Trip Equation: Ln(T)=0.91Ln(X)+0.12

	Enter	Exit	Total
Directional Distribution	26%	74%	
Trip Ends	33	95	128

PM PEAK HOUR

Trip Equation: Ln(T)=0.94Ln(X)+0.27

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	110	64	174

WEEKDAY

Trip Equation: Ln(T)=0.92Ln(X)+2.68

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	875	875	1,750

SATURDAY

Trip Equation: Ln(T)=0.97Ln(X)+2.40

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	858	858	1,716

Source: Trip Generation Manual, 11th Edition

TRIP GENERATION CALCULATIONS
Phases 1 & 2

Land Use: Single-Family Attached Housing
Land Use Code: 215
Setting/Location General Urban/Suburban
Variable: Dwelling Units
Variable Value: 36

AM PEAK HOUR

Trip Equation: T=0.52(X)-5.70

	Enter	Exit	Total
Directional Distribution	31%	69%	
Trip Ends	4	9	13

PM PEAK HOUR

Trip Equation: T=0.60(X)-3.93

	Enter	Exit	Total
Directional Distribution	57%	43%	
Trip Ends	10	8	18

WEEKDAY

Trip Equation: T=7.62(X)-50.48

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	112	112	224

SATURDAY

Trip Equation: T=13.21(X)-444.34

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	16	16	32

Source: Trip Generation Manual, 11th Edition

TRIP GENERATION CALCULATIONS
Phases 1, 2 & 3

Land Use: Single-Family Detached Housing
Land Use Code: 210
Setting/Location General Urban/Suburban
Variable: Dwelling Units
Variable Value: 253

AM PEAK HOUR

Trip Equation: Ln(T)=0.91Ln(X)+0.12

	Enter	Exit	Total
Directional Distribution	26%	74%	
Trip Ends	45	128	173

PM PEAK HOUR

Trip Equation: Ln(T)=0.94Ln(X)+0.27

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	150	88	238

WEEKDAY

Trip Equation: Ln(T)=0.92Ln(X)+2.68

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	1,185	1,185	2,370

SATURDAY

Trip Equation: Ln(T)=0.97Ln(X)+2.40

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	1,181	1,181	2,362

Source: Trip Generation Manual, 11th Edition

TRIP GENERATION CALCULATIONS
Build Out

Land Use: Single-Family Detached Housing
Land Use Code: 210
Setting/Location General Urban/Suburban
Variable: Dwelling Units
Variable Value: 351

AM PEAK HOUR

Trip Equation: Ln(T)=0.91Ln(X)+0.12

	Enter	Exit	Total
Directional Distribution	26%	74%	
Trip Ends	61	173	234

PM PEAK HOUR

Trip Equation: Ln(T)=0.94Ln(X)+0.27

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	203	120	323

WEEKDAY

Trip Equation: Ln(T)=0.92Ln(X)+2.68

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	1,602	1,602	3,204

SATURDAY

Trip Equation: Ln(T)=0.97Ln(X)+2.40

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	1,623	1,623	3,246

Source: Trip Generation Manual, 11th Edition

TRIP GENERATION CALCULATIONS
Build Out

Land Use: Single-Family Attached Housing
Land Use Code: 215
Setting/Location General Urban/Suburban
Variable: Dwelling Units
Variable Value: 126

AM PEAK HOUR

Trip Equation: T=0.52(X)-5.70

	Enter	Exit	Total
Directional Distribution	31%	69%	
Trip Ends	19	41	60

PM PEAK HOUR

Trip Equation: T=0.60(X)-3.93

	Enter	Exit	Total
Directional Distribution	57%	43%	
Trip Ends	41	31	72

WEEKDAY

Trip Equation: T=7.62(X)-50.48

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	455	455	910

SATURDAY

Trip Equation: T=13.21(X)-444.34

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	610	610	1,220

Source: Trip Generation Manual, 11th Edition

Schwabe
WILLIAMSON & WYATT®

June 29, 2022

Garrett H. Stephenson
Admitted in Oregon
T: 503-796-2893
gstephenson@schwabe.com

VIA EMAIL

Oregon City Planning Commission
c/o Mr. Pete Walter
625 Center Street
Oregon City, OR 97045
kreid@orcity.org

RE: Park Place Crossing General Development Plan
GLUA-21-00045 / MAS-21-00006 / VAR-22-00001

Dear Chair Schlagenhaufer and Planning Commissioners:

This firm represents ICON Construction & Development, LLC, Applicant in the above-referenced General Development Plan application. On May 23, 2022, the Planning Commission granted a continuance to of the hearing in this matter to July 11, 2022 to allow the Applicant to make certain changes to the Application in response to feedback from the Planning Commission. The updated plans are enclosed in this letter.

During the hearing, City staff and the Planning Commission stated certain preferences for the Project that were not embodied in the initial design. These include:

1. An extension of Holly Lane to Holcomb Boulevard.

2. Reconfiguration of the proposed portion of the Community Park located at the southwest corner of the Master Plan area.

3. A second street connection to provide additional connectivity to Livesay Road.

4. A plan that would prevent 2,000 average daily trips (ADT) on Winston Drive, Cattle Drive, Shartner Drive, and Street A.

All four of the above, are addressed in the enclosed materials. Additionally, the proposed mixed-use commercial and civic area(s) located in the SW portion of the Master Plan area have been reconfigured to better meet the maps adopted as part of the Park Place Concept Plan. Further clarification on the reduced Holly Lane Section through the development and alley access is provided.

The Applicant appreciates the additional time the Planning Commission has allowed it to provide these revisions. The Applicant believes that they result in a better project with more convenient transportation connections, more accessible parkland, and better consistency with the

Concept Plan maps. We look forward to discussing these revisions with the Planning Commission on July 11.

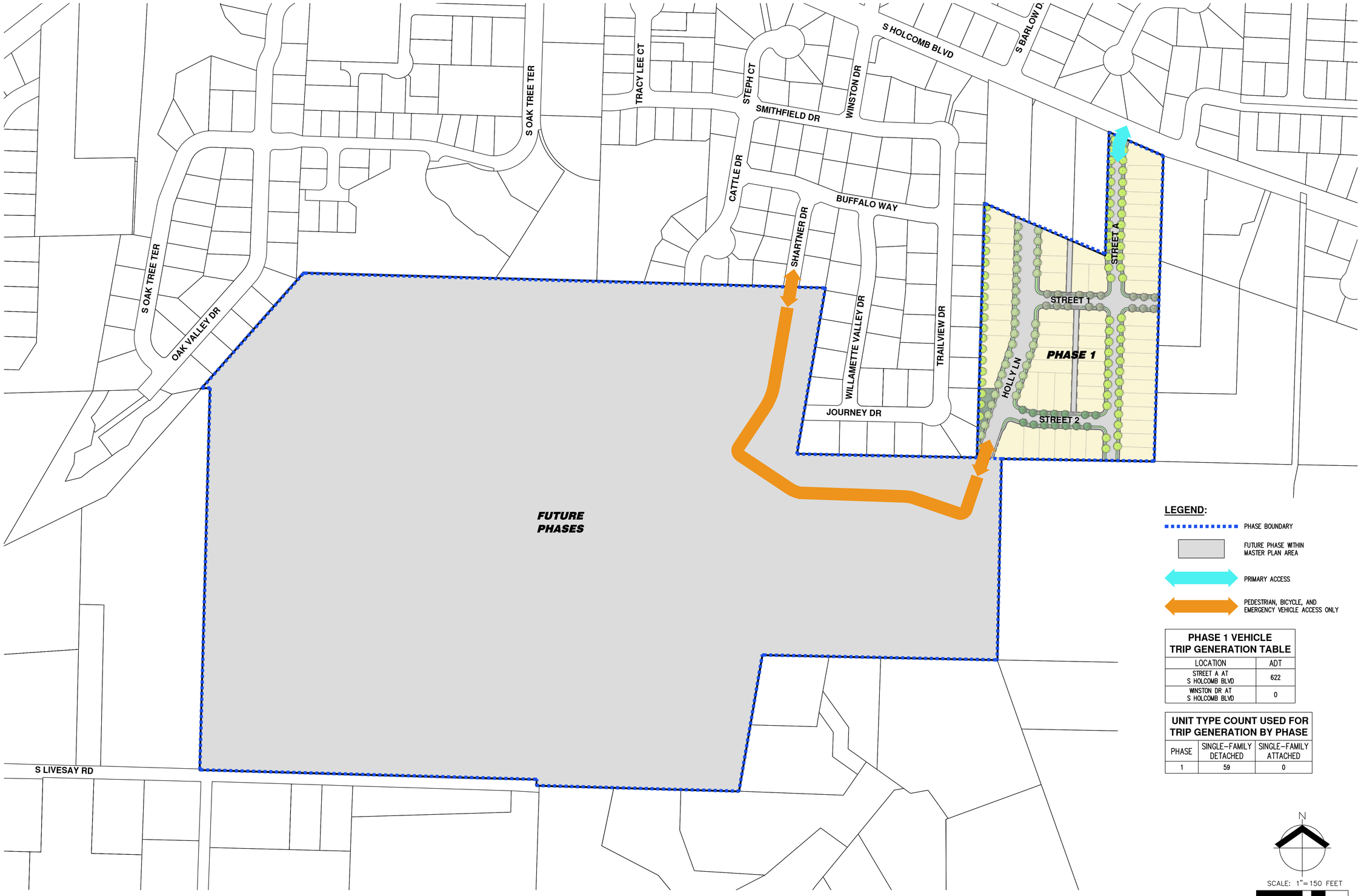
Best regards,

Garrett H. Stephenson

GST:jog/jmhi

cc: Mr. Harlan Borow (*via email*)
Mr. Chris Goodell (*via email*)
Mr. Mark Handris (*via email*)
Mr. Darren Gusdorf (*via email*)
Mr. Joseph O. Gaon (*via email*)
Ms. Carrie Richter *(via email)*

PDX\132873\238782\GST\34150319.1



LEGEND:

- PHASE BOUNDARY
- FUTURE PHASE WITHIN MASTER PLAN AREA
- PRIMARY ACCESS
- PEDESTRIAN, BICYCLE, AND EMERGENCY VEHICLE ACCESS ONLY

PHASE 1 VEHICLE TRIP GENERATION TABLE

LOCATION	ADT
STREET A AT S HOLCOMB BLVD	622
WINSTON DR AT S HOLCOMB BLVD	0

UNIT TYPE COUNT USED FOR TRIP GENERATION BY PHASE

PHASE	SINGLE-FAMILY DETACHED	SINGLE-FAMILY ATTACHED
1	59	0

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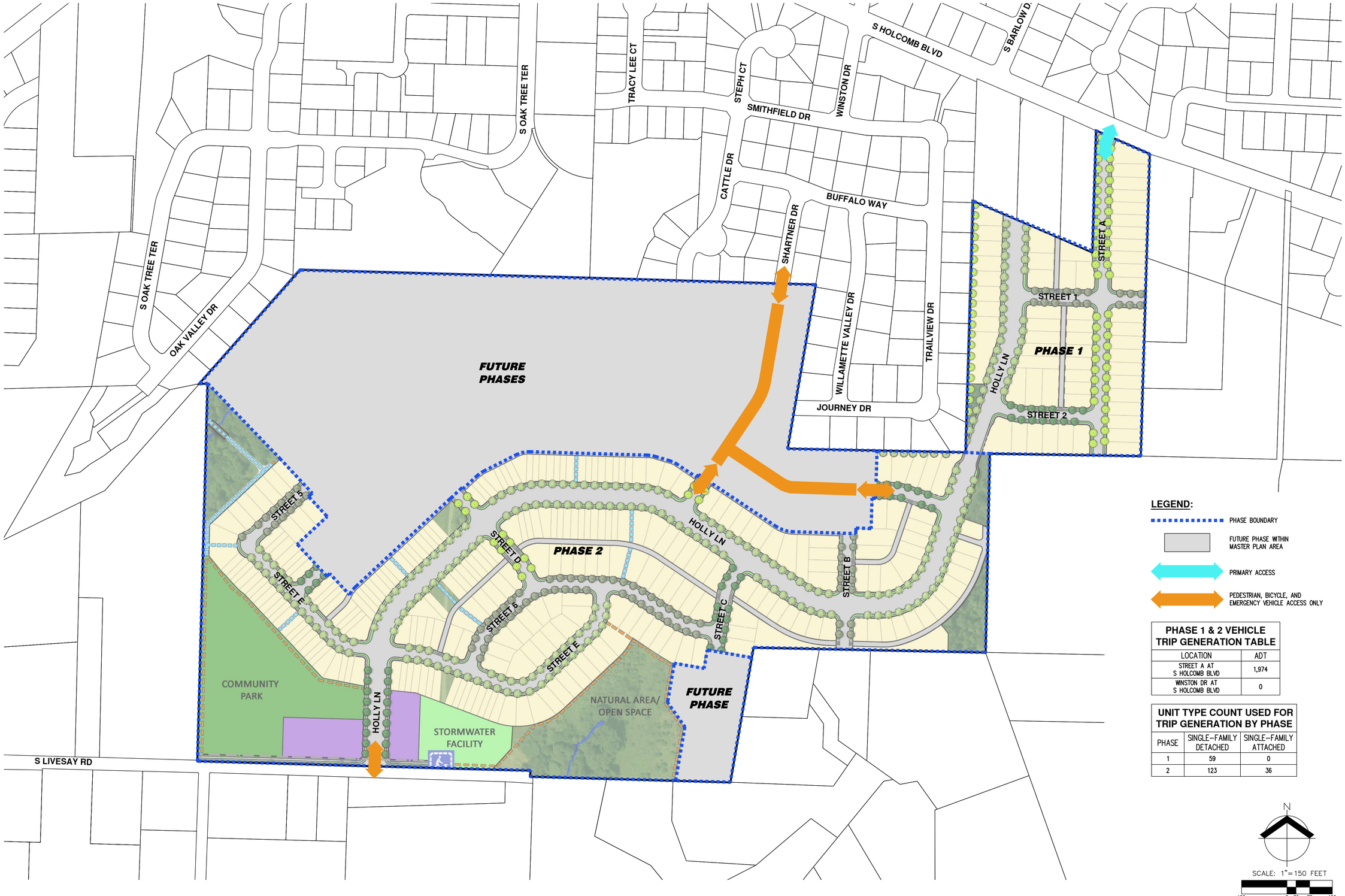
PHASED ACCESS EXHIBIT - PHASE 1
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	06/29/2022
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-1

AKS DRAWING FILE: 7404 INGRESS-EGRESS.DWG | LAYOUT: EXH1



PHASE 1 & 2 VEHICLE TRIP GENERATION TABLE

LOCATION	ADT
STREET A AT S HOLCOMB BLVD	1,974
WINSTON DR AT S HOLCOMB BLVD	0

UNIT TYPE COUNT USED FOR TRIP GENERATION BY PHASE

PHASE	SINGLE-FAMILY DETACHED	SINGLE-FAMILY ATTACHED
1	59	0
2	123	36

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PHASED ACCESS EXHIBIT - PHASES 1 & 2
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	06/29/2022
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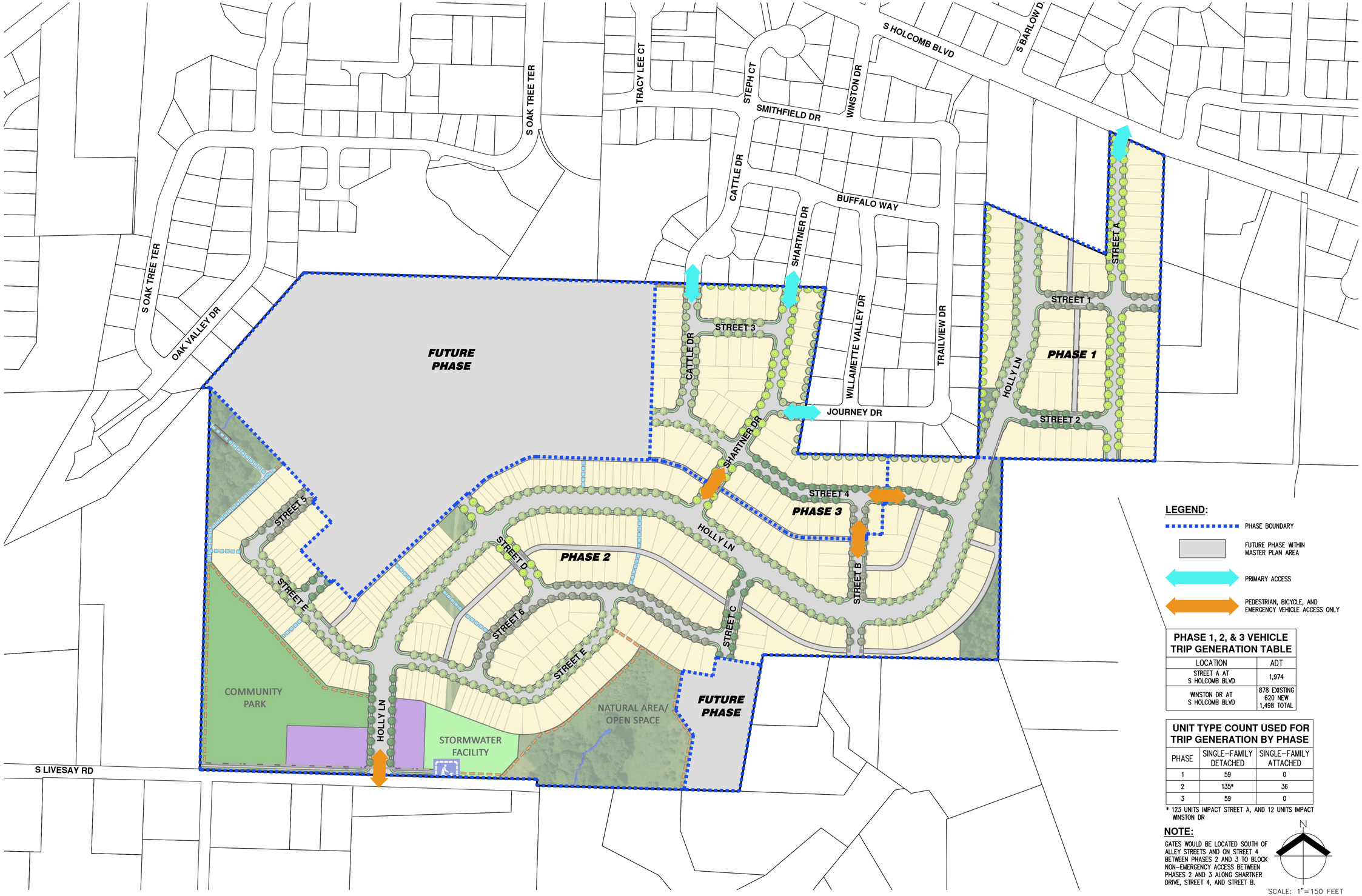
EXH-2

AKS DRAWING FILE: 7404 INGRESS-EGRESS.DWG | LAYOUT: EXH2



LEGEND:

- PHASE BOUNDARY
- FUTURE PHASE WITHIN MASTER PLAN AREA
- PRIMARY ACCESS
- PEDESTRIAN, BICYCLE, AND EMERGENCY VEHICLE ACCESS ONLY

PHASE 1, 2, & 3 VEHICLE TRIP GENERATION TABLE

LOCATION	ADT
STREET A AT S HOLCOMB BLVD	1,974
WINSTON DR AT S HOLCOMB BLVD	878 EXISTING 620 NEW 1,498 TOTAL

UNIT TYPE COUNT USED FOR TRIP GENERATION BY PHASE

PHASE	SINGLE-FAMILY DETACHED	SINGLE-FAMILY ATTACHED
1	59	0
2	135*	36
3	59	0

* 123 UNITS IMPACT STREET A, AND 12 UNITS IMPACT WINSTON DR

NOTE:

GATES WOULD BE LOCATED SOUTH OF ALLEY STREETS AND ON STREET 4 BETWEEN PHASES 2 AND 3 TO BLOCK NON-EMERGENCY ACCESS BETWEEN PHASES 2 AND 3 ALONG SHARTNER DRIVE, STREET 4, AND STREET B.

N

SCALE: 1"=150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

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PHASED ACCESS EXHIBIT - PHASES 1, 2, & 3 (ALTERNATE)
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
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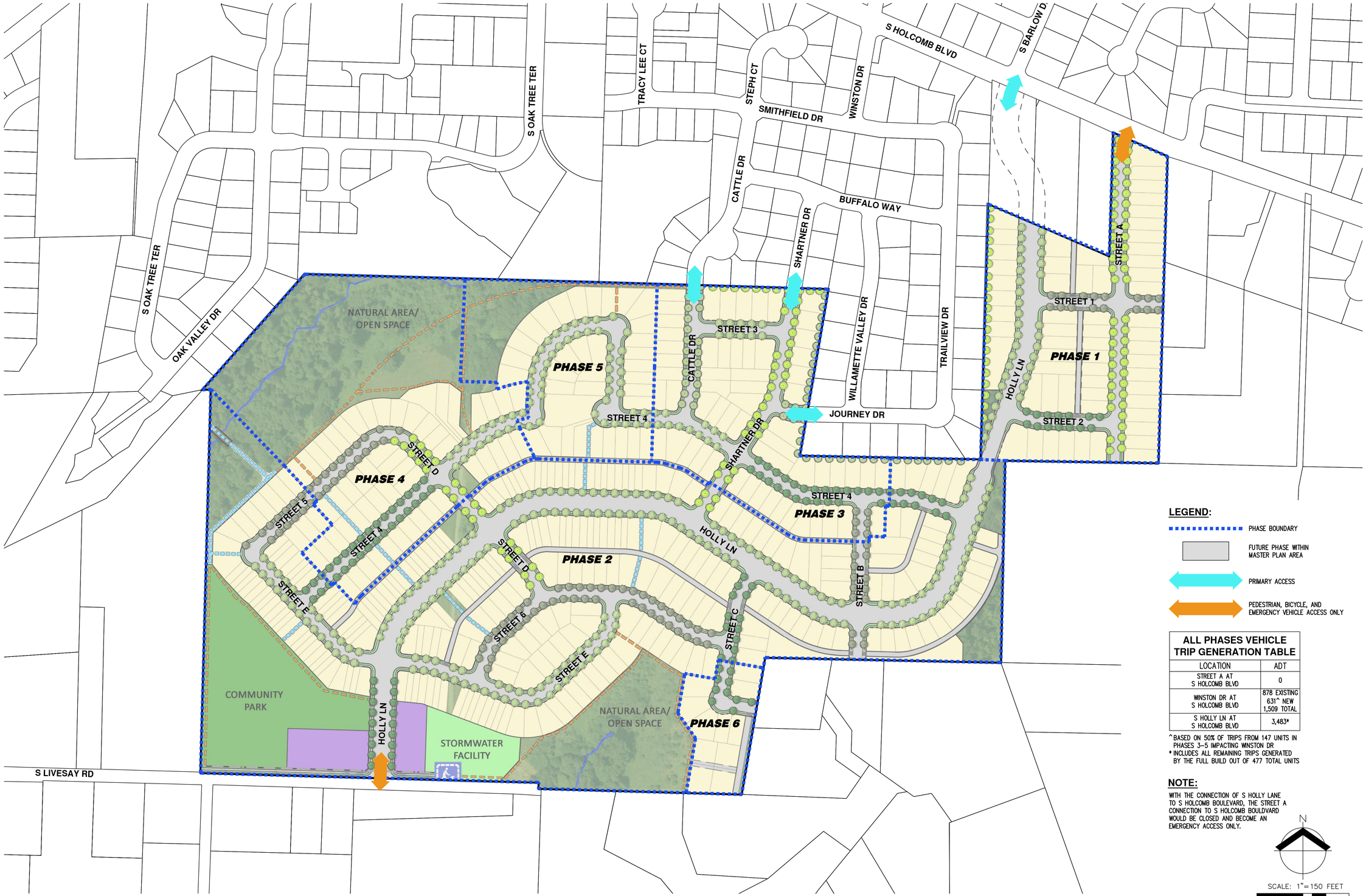
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-3

AKS DRAWING FILE: 7404 INGRESS-EGRESS.DWG | LAYOUT: EXH3



LEGEND:

- PHASE BOUNDARY
- FUTURE PHASE WITHIN MASTER PLAN AREA
- PRIMARY ACCESS
- PEDESTRIAN, BICYCLE, AND EMERGENCY VEHICLE ACCESS ONLY

ALL PHASES VEHICLE TRIP GENERATION TABLE

LOCATION	ADT
STREET A AT S HOLCOMB BLVD	0
WINSTON DR AT S HOLCOMB BLVD	878 EXISTING 631^ NEW 1,509 TOTAL
S HOLLY LN AT S HOLCOMB BLVD	3,483*

^ BASED ON 50% OF TRIPS FROM 147 UNITS IN PHASES 3–5 IMPACTING WINSTON DR
* INCLUDES ALL REMAINING TRIPS GENERATED BY THE FULL BUILD OUT OF 477 TOTAL UNITS

NOTE:

WITH THE CONNECTION OF S HOLLY LANE TO S HOLCOMB BOULEVARD, THE STREET A CONNECTION TO S HOLCOMB BOULDVARD WOULD BE CLOSED AND BECOME AN EMERGENCY ACCESS ONLY.

N

SCALE: 1"=150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

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PHASED ACCESS EXHIBIT - ALL PHASES
PARK PLACE CROSSING MASTER PLAN

OREGON CITY, OR

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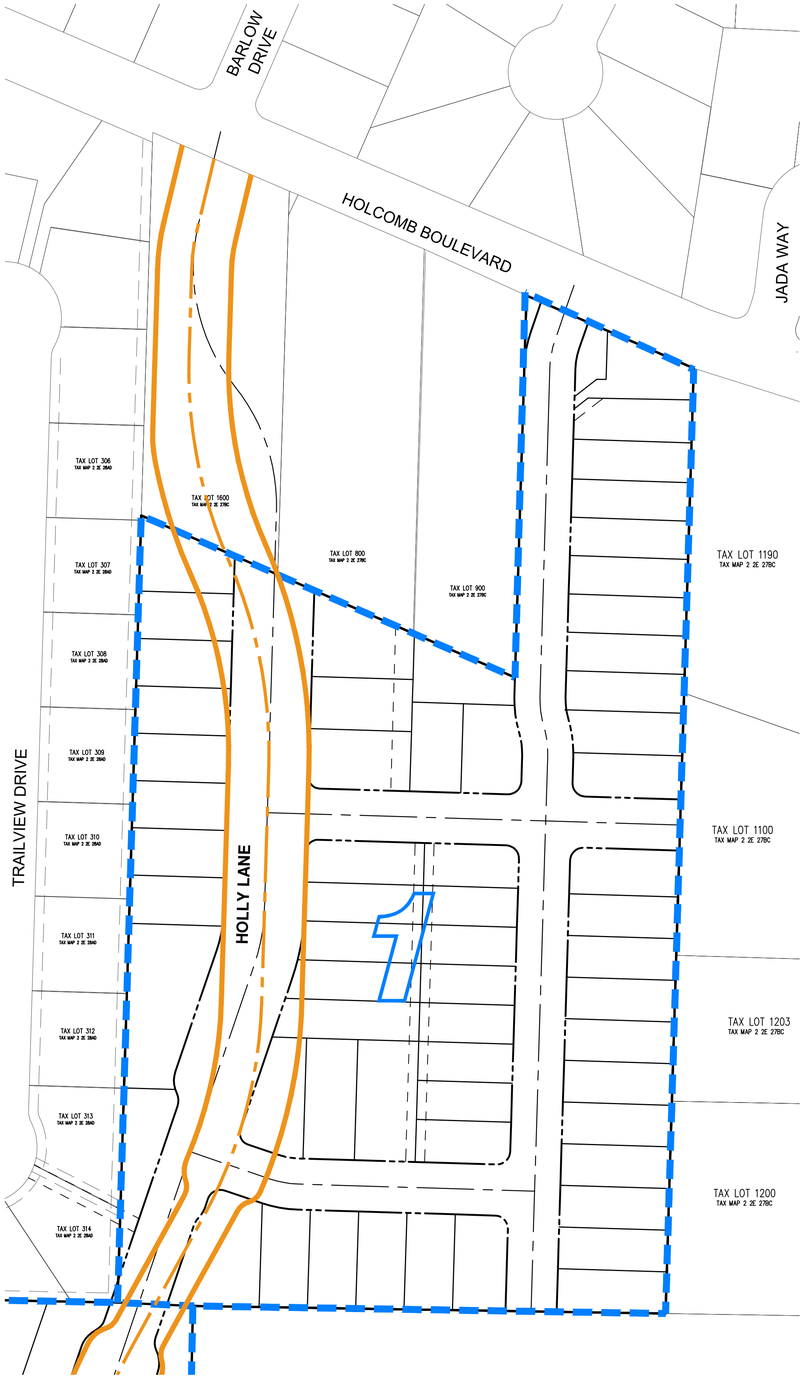
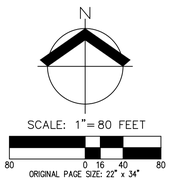
EXH-4

AKS DRAWING FILE: 7404 INGRESS-EGRESS.DWG | LAYOUT: EXH4



PHASE 1 S HOLLY LN
ALTERNATE ALIGNMENT 1



PHASE 1 S HOLLY LN
ALTERNATE ALIGNMENT 2

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PHASE 1 ALTERNATE S HOLLY LANE ALIGNMENTS
PARK PLACE CROSSING MASTER PLAN

OREGON CITY, OR

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NOT FOR CONSTRUCTION

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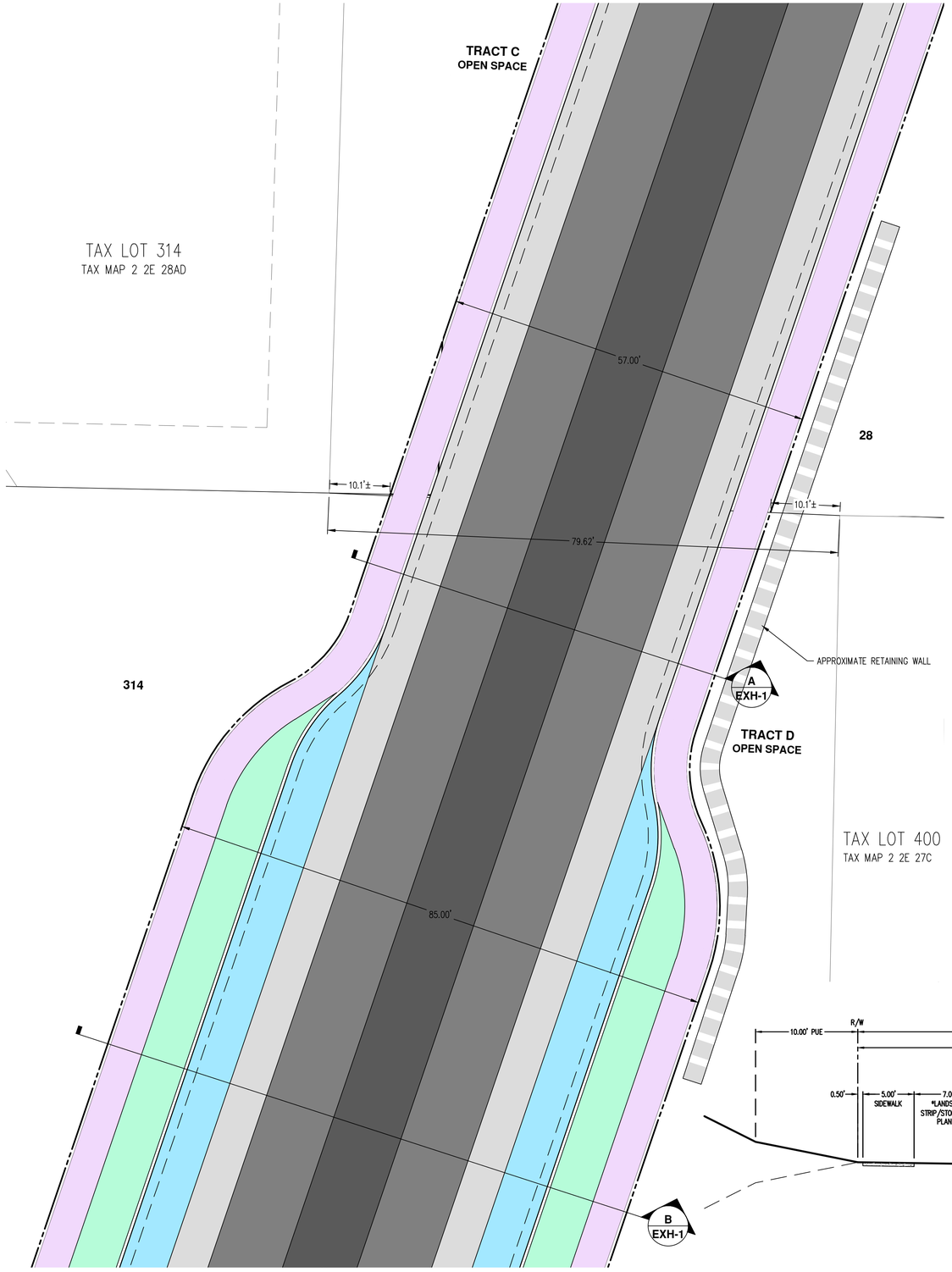
EXH-5

Item #2.

AKS DRAWING FILE: 7404 PHASE 1 - ALTERNATE 1.DWG | LAYOUT: EXH-5



LEGEND:

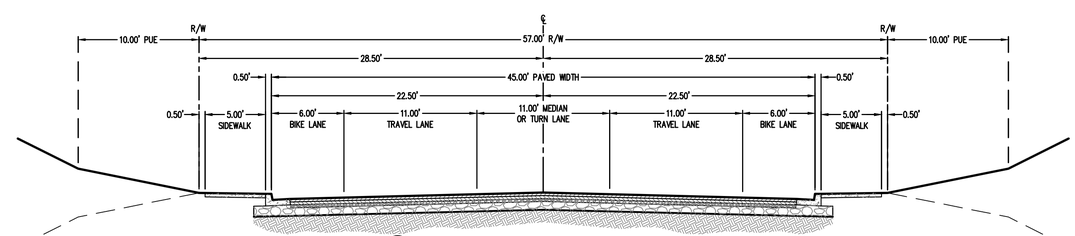
- CENTER MEDIAN OR TURN LANE
- TRAVEL LANE
- BIKE LANE
- ON-STREET PARKING
- LANDSCAPE STRIP
- SIDEWALK

N

SCALE: 1"=10 FEET

10 0 2 5 10

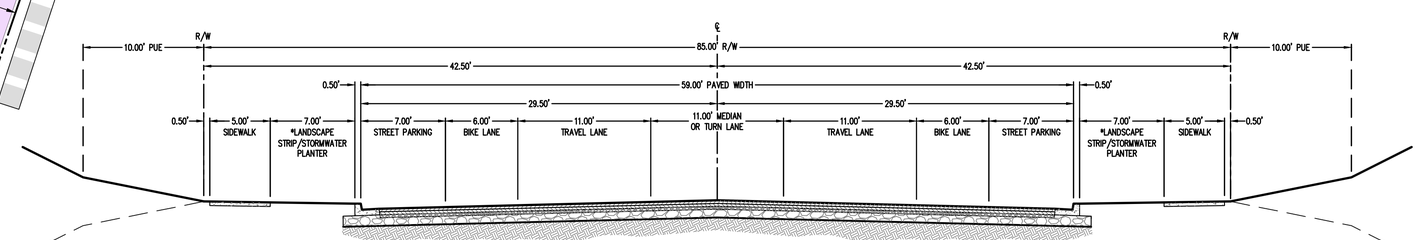
ORIGINAL PAGE SIZE: 22" x 34"



A MODIFIED COLLECTOR STREET SECTION

NOT TO SCALE

S HOLLY LANE (BETWEEN TAX LOT 314 TAX MAP 2 2E 28AD AND TAX LOT 400 TAX MAP 2 2E 27C.)



B TYPICAL COLLECTOR STREET SECTION

NOT TO SCALE

S HOLLY LANE

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S HOLLY LANE PLAN AND CROSS SECTIONS (MODIFIED SECTION)
PARK PLACE CROSSING MASTER PLAN

OREGON CITY, OR

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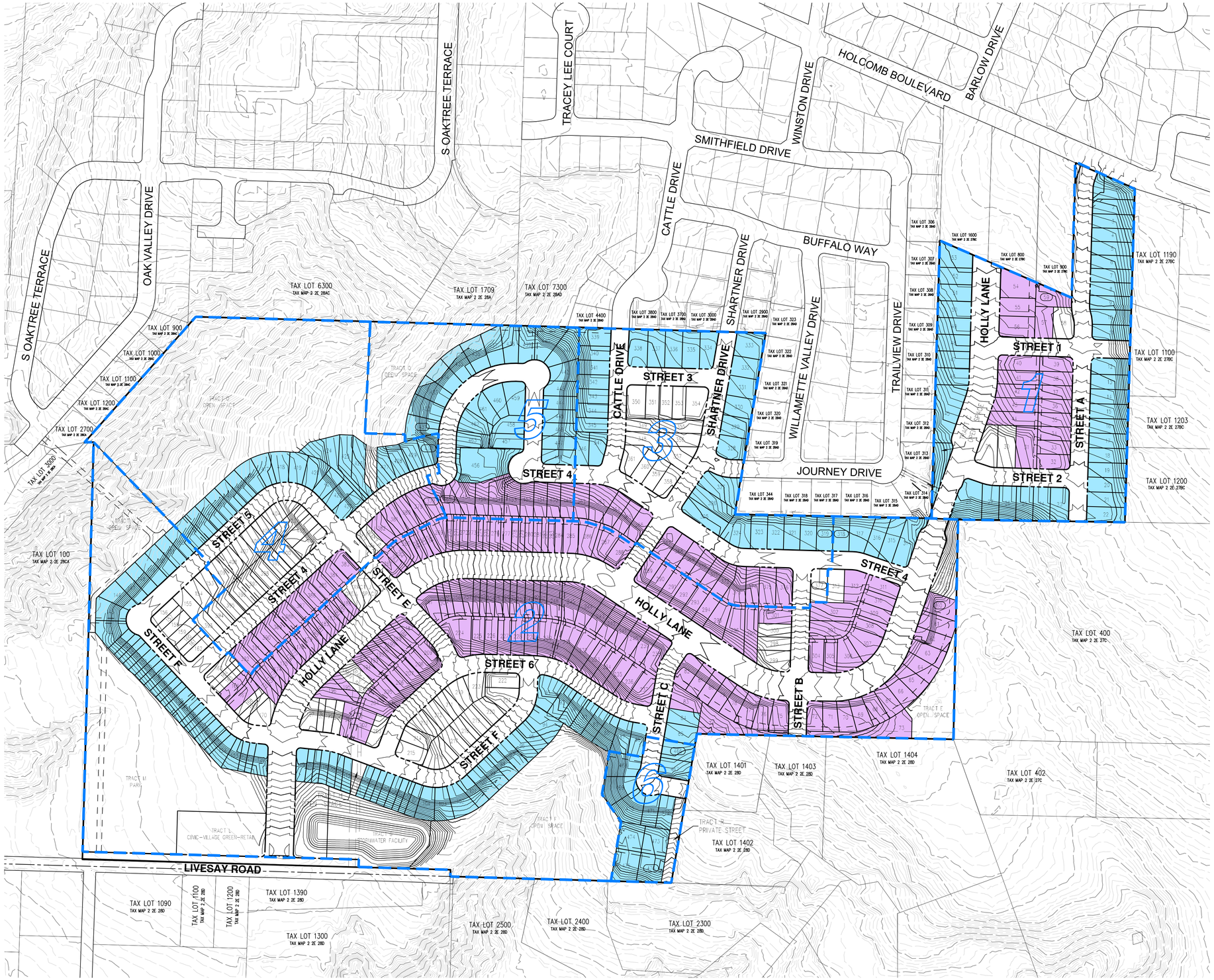
EXH-6

AKS DRAWING FILE: 7404 PINCH POINT EXHIBIT.DWG | LAYOUT: EXH-6



LEGEND:

- TOPO-CONSTRAINED LOTS 42% (198 LOTS)
- POTENTIAL ALLEY-LOADED LOT 44% (205 LOTS)
- EXISTING GROUND CONTOUR (2 FT)
- 350 EXISTING GROUND CONTOUR (10 FT)
- FINISHED GRADE CONTOUR (2 FT)
- 345 FINISHED GRADE CONTOUR (10 FT)

N

SCALE: 1"=150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

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ALLEY-LOADED AND TOPO CONSTRAINED LOT EXHIBIT
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	06/29/2022
DESIGNED BY:	CMS
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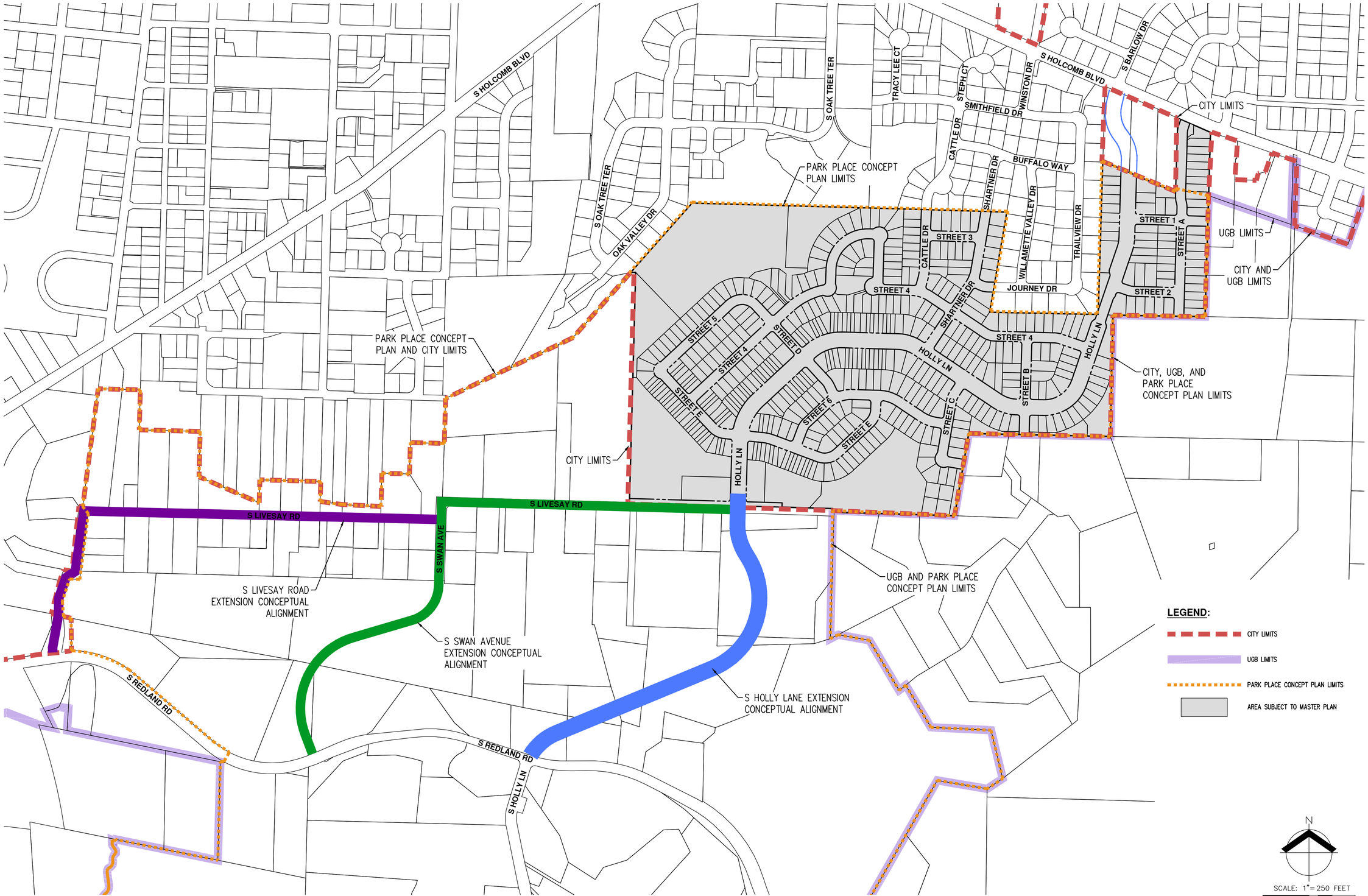
EXH-7

AKS DRAWING FILE: 7404 ALLEY LOADED EXHIBIT.DWG | LAYOUT: EXH-7



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SOUTHERN CONNECTIONS EXHIBIT - AFTER PHASE 3
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	06/29/2022
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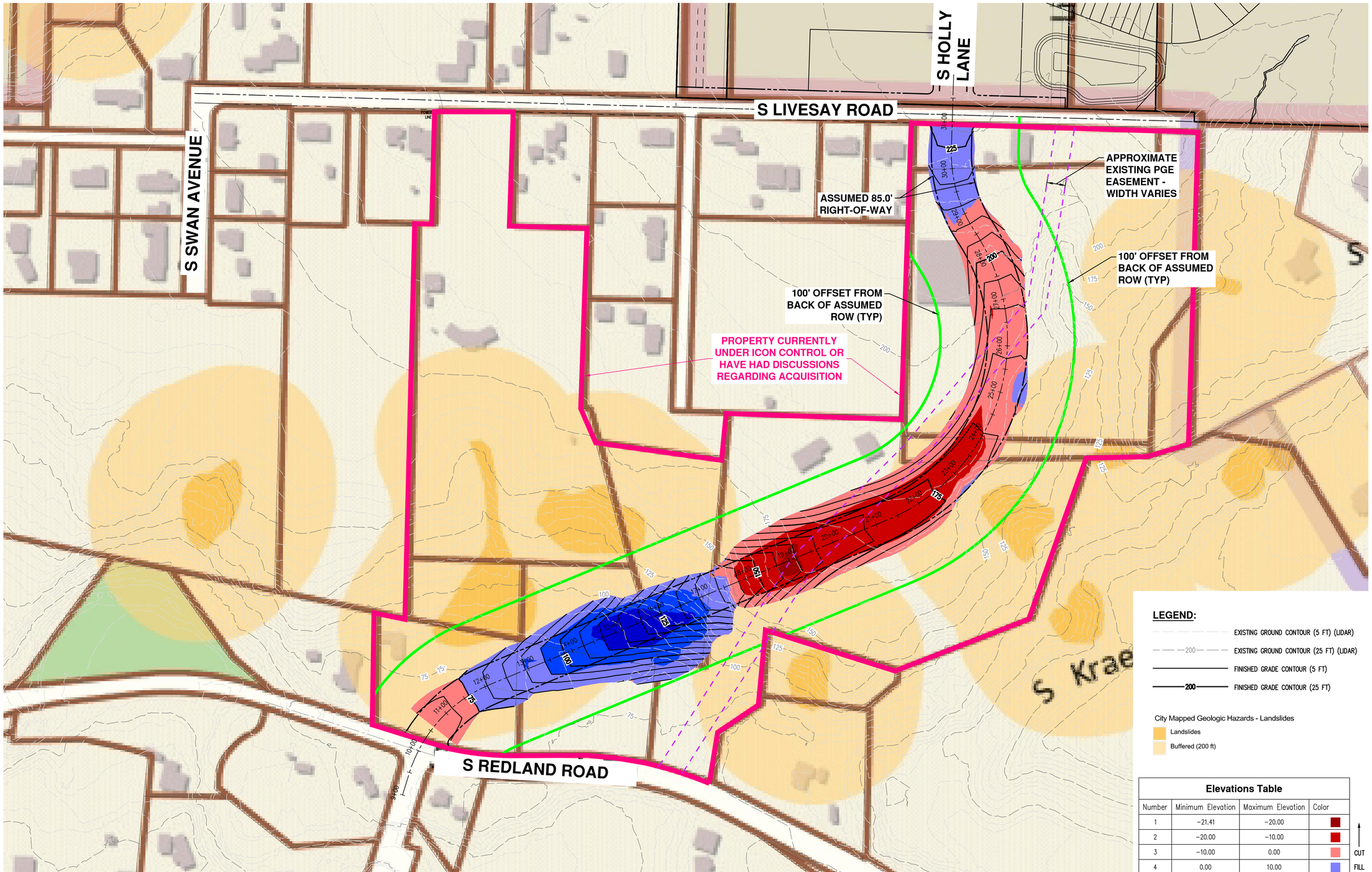
EXH-8

AKS DRAWING FILE: 7404 SOUTHERN ACCESS OPTIONS.DWG | LAYOUT: EXH-8



Elevations Table

Number	Minimum Elevation	Maximum Elevation	Color	
1	-21.41	-20.00		CUT
2	-20.00	-10.00		CUT
3	-10.00	0.00		CUT
4	0.00	10.00		FILL
5	10.00	20.00		FILL
6	20.00	27.38		FILL

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CONCEPTUAL COLOR CUT-FILL MAP - S HOLLY LANE SOUTH CONNECTION
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

REVIEW COPY ONLY

JOB NUMBER:	7404
DATE:	06/29/2022
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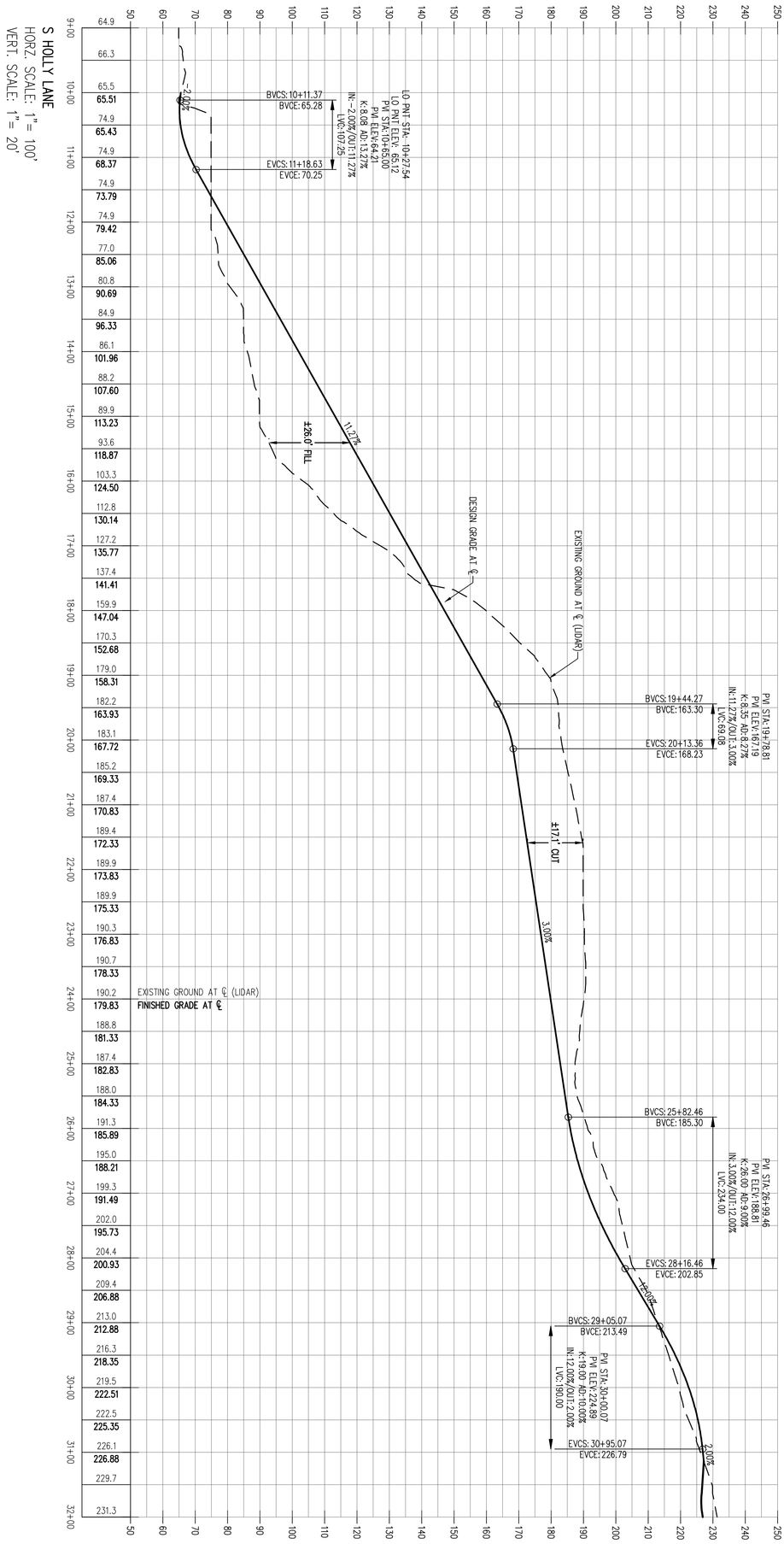
EXH-9

AKS DRAWING FILE: 7404C HOLLY EXT PROFILE W LS OVERLAY-14.DWG | LAYOUT: EXH-9



CONCEPTUAL S HOLLY LANE SOUTH CONNECTION PROFILE
PARK PLACE CROSSING MASTER PLAN

OREGON CITY, OR

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EXH-10

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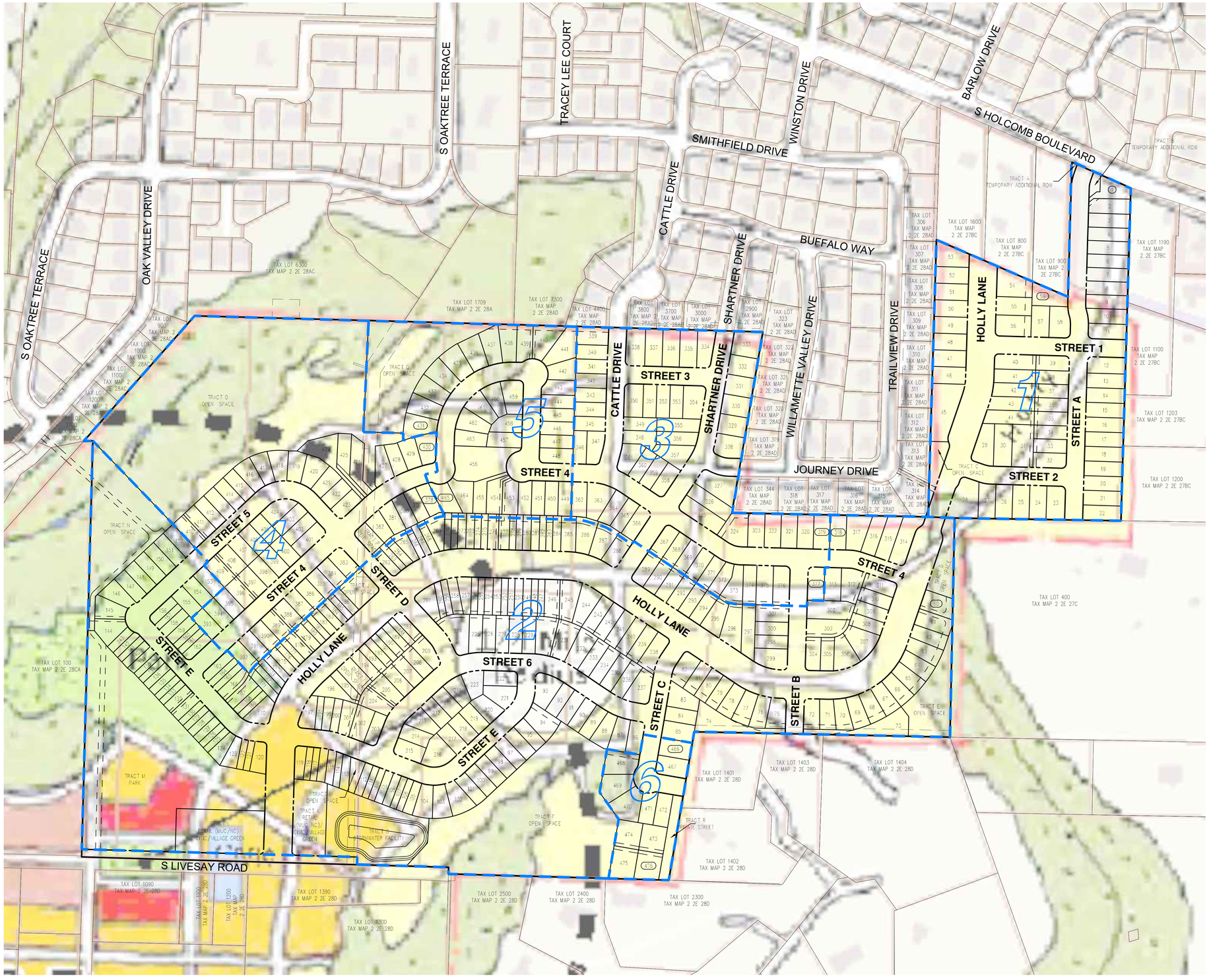

NOTE:

CONCEPT PLAN OVERLAY IS PER OREGON CITY WEBMAPS.

OREGON CITY PARK PLACE CONCEPT PLAN OVERLAY LEGEND:

- LOW/MEDIUM DENSITY RESIDENTIAL
- MEDIUM/HIGH DENSITY RESIDENTIAL
- COMMUNITY PARK
- CONSTRAINED LAND (OPEN SPACE)
- RETAIL (MUC/NC)
- CIVIC

PARK PLACE CROSSING MASTER PLAN AREA BREAKDOWN (ACRES):

TOTAL SITE AREA:	±91.7
OPEN SPACE:	±15.7
STORM FACILITY:	±1.2
RETAIL (MUC/NC)/ CIVIC/VILLAGE GREEN:	±1.3
COMMUNITY PARK:	±4.4*
REMAINING AREA:	±69.1

OREGON CITY PARK PLACE CONCEPT PLAN AREA BREAKDOWN (ACRES):

TOTAL SITE AREA:	±91.7
OPEN SPACE:	±11.4
RETAIL (MUC/NC)/ CIVIC/VILLAGE GREEN:	±1.3
COMMUNITY PARK:	±4.1*
REMAINING AREA:	±74.9

NOTE:

*PER DISCUSSIONS WITH CITY STAFF, THE PARK PLACE CROSSING MASTER PLAN IS EXPECTED TO PROVIDE A PROPORTIONATE PERCENTAGE OF PARK LAND FOR ITS RESIDENTS. APPROXIMATELY 51 PERCENT OF THE PLANNED DWELLING UNITS FOR THE PARK PLACE CONCEPT PLAN AREA NORTH VILLAGE ARE INCLUDED WITHIN THIS MASTER PLAN (±476 PLANNED PARK PLACE CROSSING UNITS/937 TOTAL NORTH VILLAGE UNITS). THE NEIGHBORHOOD PARK REPRESENTS ±8.0 ACRES ON THE PARK PLACE CONCEPT PLAN; THEREFORE, PARK PLACE CROSSING WOULD BE EXPECTED TO CONTRIBUTE PROPORTIONALLY ±51 PERCENT OF THE NEEDED AREA, OR ±4.1 ACRES. THIS APPLICATION ANTICIPATES THAT ±4.4 ACRES WITHIN THE PARK PLACE CROSSING MASTER PLAN AREA WILL BE DEDICATED FOR THE PARK LAND. TECHNICAL DETAILS FOR HOW THE PARK LAND WILL BE REQUIRED/TRANSFERRED ARE BEING COORDINATED WITH THE CITY OF OREGON CITY PARKS DEPARTMENT.

LAYOUT SUMMARY:

SINGLE-FAMILY ATTACHED DWELLING UNITS:	126
SINGLE-FAMILY DETACHED DWELLING UNITS:	350
TOTAL DWELLING UNITS:	476

PROPORTIONAL SHARE = 476/937^ = 0.51 = 51%

^937 IS THE ANTICIPATED TOTAL DWELLING UNITS IN THE NORTH VILLAGE PER THE PARK PLACE CONCEPT PLAN

N

SCALE: 1"=150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

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CONCEPTUAL PARK AREA EXHIBIT WITH CONCEPT PLAN
PARK PLACE CROSSING MASTER PLAN

OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
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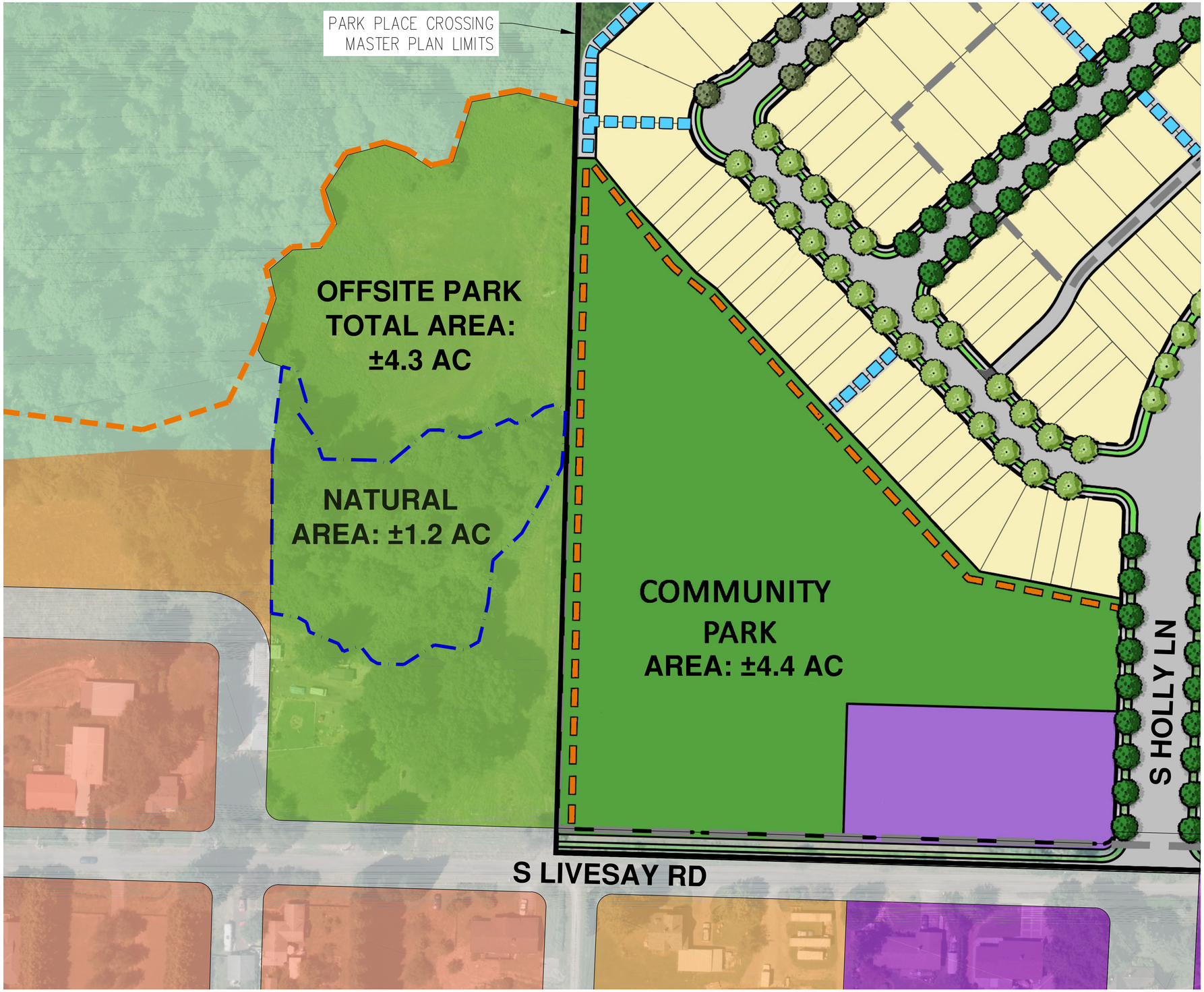
EXH-11

AKS DRAWING FILE: 7404 CONCEPT EXHIBIT.DWG | LAYOUT: EXH-11



NOTE:

THIS EXHIBIT IS PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. ALL STREETS AND OTHER IMPROVEMENTS SHOWN ON PROPERTIES OUTSIDE OF THE PARK PLACE MASTER PLAN AREA ARE NON-BINDING AND CONCEPTUAL IN NATURE.

OREGON CITY PARK PLACE CONCEPT PLAN LEGEND:

- LOW/MEDIUM DENSITY RESIDENTIAL
- MEDIUM/HIGH DENSITY RESIDENTIAL
- RETAIL (MUC/NC)/CIVIC/VILLAGE GREEN
- COMMUNITY PARK
- CONSTRAINED LAND (OPEN SPACE)
- MIXED-USE COMMERCIAL
- NATURAL AREA (25%+ SLOPE)
- PARK PLACE CROSSING MASTER PLAN LIMITS
- SOFT SURFACE TRAIL
- PAVED PEDESTRIAN ACCESSWAY

PARK PLACE CROSSING MASTER PLAN OPEN SPACE LEGEND

- RESIDENTIAL LOTS
- RETAIL (MUC/NC)/ CIVIC/ VILLAGE GREEN
- COMMUNITY PARK
- NATURAL AREA/ OPEN SPACE
- SOFT SURFACE TRAIL
- PAVED PEDESTRIAN ACCESSWAY
- TRAILHEAD

PARK PLACE CONCEPT PLAN COMMUNITY PARK AREA

	ONSITE:	OFFSITE:	TOTAL:
TOTAL PARK AREA	±4.4 AC	±4.3 AC	±8.7 AC
NATURAL AREA (25%+ SLOPE):	±0.0 AC	±1.2 AC	±1.2 AC

N

SCALE: 1"= 50 FEET

50 0 10 25 50

ORIGINAL PAGE SIZE: 22" x 34"

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM

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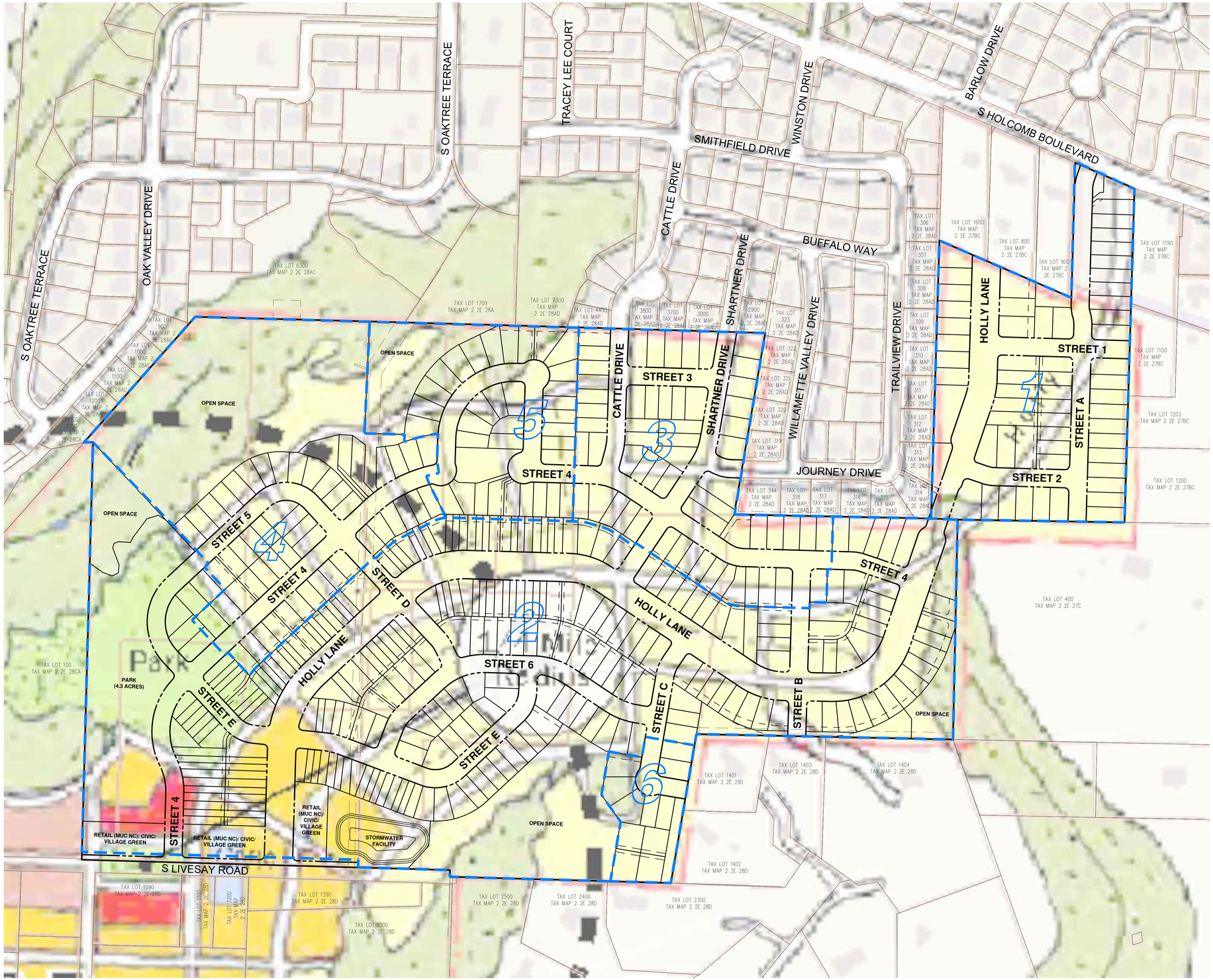
CONCEPTUAL PARK AREA EXHIBIT
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

REVIEW COPY ONLY

JOB NUMBER:	7404
DATE:	06/29/2022
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-12

AKS DRAWING FILE: 7404 PARK EXHIBIT.DWG | LAYOUT: EXH-12



NOTE:

CONCEPT PLAN OVERLAY IS PER OREGON CITY WEBMAPS.

OREGON CITY PARK PLACE CONCEPT PLAN OVERLAY LEGEND:

- LOW/MEDIUM DENSITY RESIDENTIAL
- MEDIUM/HIGH DENSITY RESIDENTIAL
- COMMUNITY PARK
- CONSTRAINED LAND (OPEN SPACE)
- RETAIL (MUC/NC)
- CIVIC

PARK PLACE CROSSING MASTER PLAN AREA BREAKDOWN (ACRES):

TOTAL SITE AREA:	±91.7
OPEN SPACE:	±14.6
STORM FACILITY:	±1.2
RETAIL (MUC/NC)/ CIVIC/VILLAGE GREEN:	±1.7
COMMUNITY PARK:	±4.3*
REMAINING AREA:	±69.9

OREGON CITY PARK PLACE CONCEPT PLAN AREA BREAKDOWN (ACRES):

TOTAL SITE AREA:	±91.7
OPEN SPACE:	±11.4
RETAIL (MUC/NC)/ CIVIC/VILLAGE GREEN:	±1.3
COMMUNITY PARK:	±4.0*
REMAINING AREA:	±74.9

NOTE:

*PER DISCUSSIONS WITH CITY STAFF, THE PARK PLACE CROSSING MASTER PLAN IS EXPECTED TO PROVIDE A PROPORTIONATE PERCENTAGE OF PARK LAND FOR ITS RESIDENTS. APPROXIMATELY 49 PERCENT OF THE PLANNED DWELLING UNITS FOR THE PARK PLACE CONCEPT PLAN AREA NORTH VILLAGE ARE INCLUDED WITHIN THIS MASTER PLAN (±463 PLANNED PARK PLACE CROSSING UNITS/937 TOTAL NORTH VILLAGE UNITS). THE NEIGHBORHOOD PARK REPRESENTS ±8.0 ACRES ON THE PARK PLACE CONCEPT PLAN; THEREFORE, PARK PLACE CROSSING WOULD BE EXPECTED TO CONTRIBUTE PROPORTIONALLY ±49 PERCENT OF THE NEEDED AREA, OR ±4.0 ACRES. THIS APPLICATION ANTICIPATES THAT ±4.3 ACRES WITHIN THE PARK PLACE CROSSING MASTER PLAN AREA WILL BE DEDICATED FOR THE PARK LAND. TECHNICAL DETAILS FOR HOW THE PARK LAND WILL BE REQUIRED/TRANSFERRED ARE BEING COORDINATED WITH THE CITY OF OREGON CITY PARKS DEPARTMENT.

LAYOUT SUMMARY:

SINGLE-FAMILY ATTACHED DWELLING UNITS:	121
SINGLE-FAMILY DETACHED DWELLING UNITS:	342
TOTAL DWELLING UNITS:	463

PROPORTIONAL SHARE = 463/937^ = 0.49 = 49%

^937 IS THE ANTICIPATED TOTAL DWELLING UNITS IN THE NORTH VILLAGE PER THE PARK PLACE CONCEPT PLAN

N

SCALE: 1"=150 FEET

150 0 30 75 150

ORIGINAL PAGE SIZE: 22" x 34"

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12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
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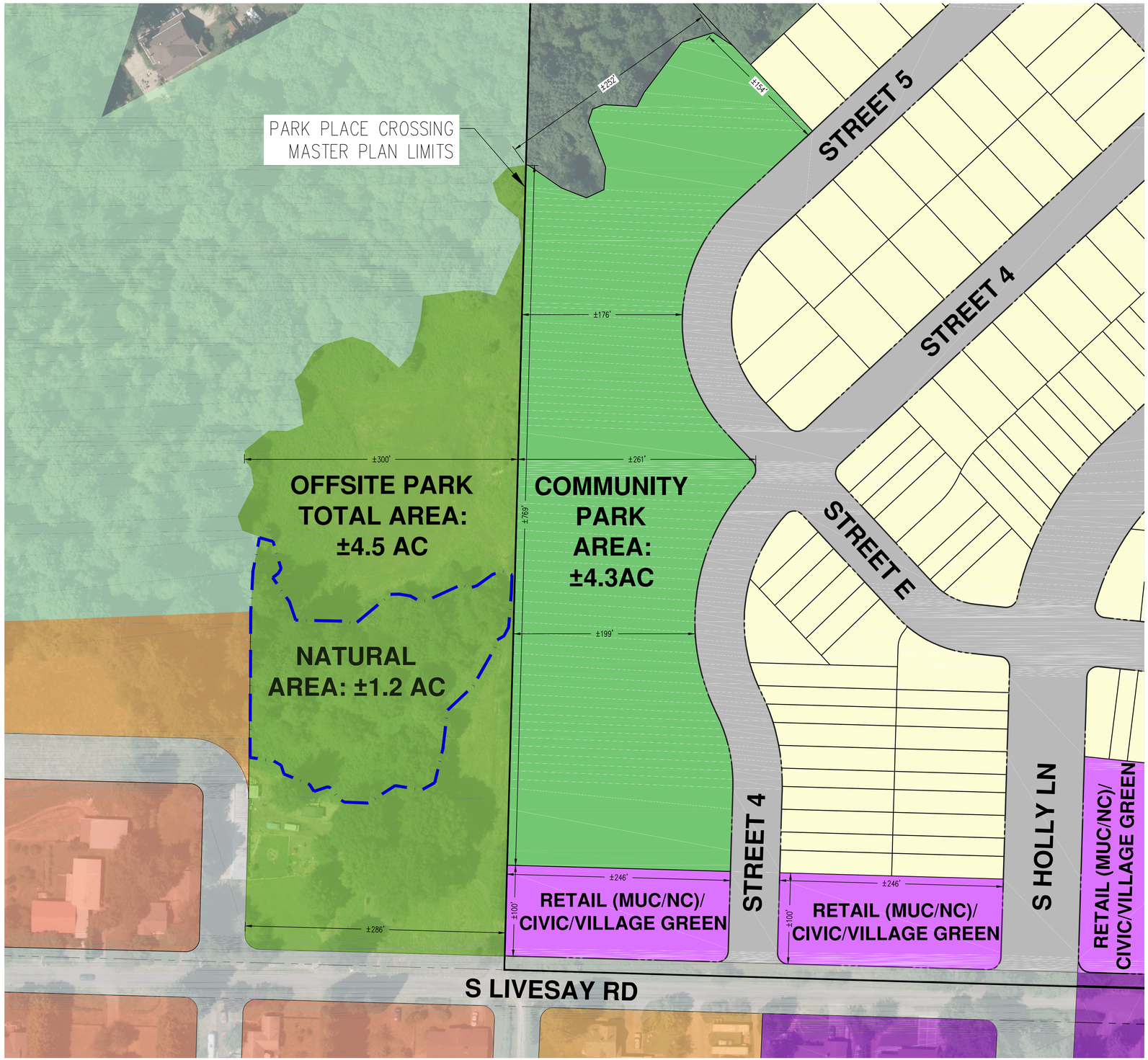
CONCEPTUAL ALTERNATE PARK AREA EXHIBIT WITH CONCEPT PLAN
PARK PLACE CROSSING MASTER PLAN
OREGON CITY, OR

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7404
DATE:	06/29/2022
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-13

AKS DRAWING FILE: 7404 REVISED CONCEPT.DWG | LAYOUT: EXH-13



NOTE:

THIS EXHIBIT IS PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. ALL STREETS AND OTHER IMPROVEMENTS SHOWN ON PROPERTIES OUTSIDE OF THE PARK PLACE MASTER PLAN AREA ARE NON-BINDING AND CONCEPTUAL IN NATURE.

OREGON CITY PARK PLACE CONCEPT PLAN LEGEND:

- LOW/MEDIUM DENSITY RESIDENTIAL
- MEDIUM/HIGH DENSITY RESIDENTIAL
- RETAIL (MUC/NC)/CIVIC/VILLAGE GREEN
- COMMUNITY PARK
- CONSTRAINED LAND (OPEN SPACE)
- MIXED-USE COMMERCIAL
- NATURAL AREA (25%+ SLOPE)
- PARK PLACE CROSSING MASTER PLAN LIMITS

PARK PLACE CROSSING MASTER PLAN OPEN SPACE LEGEND:

- LOW/MEDIUM DENSITY RESIDENTIAL
- RETAIL (MUC/NC)/CIVIC/VILLAGE GREEN
- COMMUNITY PARK

PARK PLACE CONCEPT PLAN COMMUNITY PARK AREA

	ONSITE:	OFFSITE:	TOTAL:
TOTAL PARK AREA	±4.3 AC	±4.5 AC	±8.8 AC
NATURAL AREA (25%+ SLOPE):	±0.0 AC	±1.2 AC	±1.2 AC

N

SCALE: 1"=60 FEET

60 0 12 30 60

ORIGINAL PAGE SIZE: 22" x 34"

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TUALATIN, OR 97062
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CONCEPTUAL ALTERNATE PARK AREA EXHIBIT
PARK PLACE CROSSING MASTER PLAN

OREGON CITY, OR

REVIEW COPY ONLY

JOB NUMBER:	7404
DATE:	06/29/2022
DESIGNED BY:	CMS
DRAWN BY:	NRA
CHECKED BY:	CMS

EXH-14

AKS DRAWING FILE: 7404 REVISED LAYOUT PARK EXHIBIT.DWG | LAYOUT: EXH-14

REPLINGER & ASSOCIATES LLC
TRANSPORTATION ENGINEERING

July 13, 2022

Mr. Pete Walter
City of Oregon City
PO Box 3040
Oregon City, OR 97045

SUBJECT: REVIEW OF SUPPLEMENTAL ANALYSIS OF TRIP GENERATION AND DAILY TRAFFIC VOLUME ANALYSIS – PARK PLACE MASTER PLAN – GLUA21-45

Dear Mr. Walter:

In response to your request, I have reviewed the supplemental materials submitted in support of the proposed general development plan (GDP) for the Park Place development. The relevant materials addressed in this letter consisted of the memorandum "Trip Generation and Daily Traffic Volume Analysis" dated June 29, 2022. The TIS was prepared under the direction of Todd Mobley, PE of Lancaster Mobley.

As described in the June 29 memorandum: "This memorandum is written to provide supplementary transportation analysis for various phasing and street accessibility options for the subject application. The analysis seeks to identify development scenarios that demonstrate how the site could build out without placing a significant traffic burden on local streets, keeping the average daily traffic volume (ADT) on local residential streets at or below 2,000 vehicles per day."

1. ***Study Area.*** The study addresses the appropriate local streets. The engineer evaluated traffic patterns and traffic volumes at key locations including assessing whether the daily traffic volumes remain below a value of 2000 vehicle trips per day. The key intersections were Street A that is proposed to intersect with Holcomb Boulevard and Cattle Drive, Journey Drive, and Shartner Drive, which intersect with Holcomb Boulevard via Winston Drive.

2. ***Phased Access and Local Street Traffic Volumes.*** As explained in detail in the memorandum, the development will be undertaken in phases. For each phase, the access has been developed to assure that traffic volumes on key streets will not exceed 2000 vehicles per day.

For Phase 1, which consists of 59 detached single-family homes, access will be provided to Holcomb Boulevard via Street A. Emergency access would also be available via Shartner Drive. Trip generation and traffic patterns reveal that volumes will be well below 2000 vehicles per day on Street A. The previous TIA showed that traffic operations at the intersection would meet city intersection performance standards.

For Phase 2, additional dwellings are added consisting of 182 detached single-family homes and 36 attached single-family homes. Primary access would be provided via Street A. Emergency access would be provided via Shartner Drive and Holly Lane to Livesay Road.

For Phase 3, 71 additional detached single-family homes would be added. Street connections would be provided to Cattle Drive, Shartner Drive and Journey Drive, providing connectivity to the stub streets in the adjacent residential developments. Street restrictions that initially restricted to pedestrians and non-motorized modes would be provide to streets constructed in connection with the Phase 2 development. With Phase 3, some additional traffic would utilize existing local streets, including Winston Drive, to reach Holcomb Boulevard. The use of restrictions would keep traffic volumes on local streets, including Winston Drive, below the 2000 daily vehicle threshold.

Full development includes the addition of 98 attached single-family homes and new street connections, including the completion of Holly Lane. With the anticipated completion of Holly Lane, which will provide superior access to the major street network, internal access restrictions utilized in Phase 2 and Phase 3 to would be dismantled. Because of the superior access provided with the ultimate development to Holly Lane and to Holcomb Boulevard and Redland Road, traffic volumes on local streets would be expected to remain below 2000 vehicles per day.

Conclusions

The analysis performed by the engineer and documented in his June 29 memorandum used appropriate calculations for trip generation and logical traffic patterns. His calculations showed that Phases 1, 2, and 3 can be implemented, with access restrictions in Phases 2 and 3, that will assure that traffic volumes on local streets remain within allowable limits.

I find nothing in the June 29 memorandum that conflicts with my conclusions or alters my recommended conditions of approval as listed in my April 15, 2022, comment letter.

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

Sincerely,

John Replinger, PE
Principal

Oregon City\2021\GLUA21-45Add1

Public Testimony Summary for GLUA-21-00045: Park Place Crossing General Development Plan

A number of comments cited Statewide Planning Goals. It is important to note here that Statewide goals don't apply to this Master Plan proposal, but rather the adopted Park Place Concept Plan and Comprehensive Plan policies apply, which implement the statewide goals.

Issue Number	Issue/Comment/Concern	Staff analysis/response	Has this been addressed? How?
1	Public notice/citizen involvement – some commenters did not receive notice, or only learned about the proposal when the notice was mailed.	The City provided notice in compliance with state statute and OCMC 17.50. Notice was mailed to properties within 300 feet both inside and outside of the UGB. Notices were mailed on March 29th, a total of 28 days before the hearing. Notice procedures beyond minimum code requirements also include posting the full application materials on the City website, emailing them to the CIC and neighborhood association officers. The applicant held a meeting with the Park Place neighborhood association in 2021 in compliance with OCMC 17.50.	No additional action needed. The Planning Commission continued the hearing to May 23rd and then to July 11th.
2	School capacity	The School District provided a comment on May 9th indicating that enrollment has been reduced by the pandemic, that recent Park Place developments have resulted in fewer school-age children than is typical, and that capacity is expected to be available to accommodate the new development.	No additional action needed.
3	Impacts on drainage, stormwater runoff, large amount of impervious surfaces. One neighboring property has a former reservoir that collects lots of water from the site as well as other properties	The applicant's proposal addresses stormwater impacts from the greater impervious surface, by accommodating all stormwater into a system to manage and detain stormwater through planters and detention ponds on site. Stormwater management will be required to meet City Standards for treatment and flow control. Each subsequent DDP will submit detailed stormwater management plans for each phase. The Stormwater and Grading Design Standards will require hydrology to be studied as part of the analysis.	Based on the information provided, the City Engineer has concluded that the stormwater management solutions identified will be adequate. Detailed stormwater management review will be required at the Detailed Development Plan phase.
4	Protection of water wells on neighboring properties outside the UGB	As part of the geotechnical and stormwater analyses of the site, the applicant will be required to submit a hydrology report with each DDP. Per OCMC 17.44.050.A.10, the hydrology report must address "*…the effect upon the immediate area's stormwater drainage pattern of flow, the impact of the proposed*	Detailed Hydrology analysis will be required at the Detailed Development Phase.

		development upon downstream areas and upon wetlands and water resources; and the effect upon the groundwater supply."	
5	Impacts of additional traffic on Winston Drive, Shartner Drive, Cattle Drive, and Journey Drive. Traffic being routed through existing neighborhood to get to Holcomb Blvd.	The staff recommendation includes a condition of approval that requires traffic volume counts be taken on these streets and street connection be made to Redland Road if volumes will exceed 2000 trips per day at any point in the development buildout. Traffic calming elements are also recommended.	See findings and conditions of approval in 17.65.050.C.5. Relevant conditions of approval: #7
6	Lack of street connection to Redland Road; all traffic will use Holcomb Blvd. This is not consistent with the Park Place Concept Plan.	The Holly Lane connection to Redland Road is a major element of the Park Place Concept Plan and a critical link in the City's long-term transportation system plan. The applicant's Traffic Impact Analysis indicates that the system can handle the increased traffic volumes form the development without this connection; however, it is clear that the intersection of HWY 213 and Redland Rd, will be over capacity at some point between proposed Phase 1 and Phase 2. This means that the applicant will likely not be able to demonstrate compliance with transportation mobility standards for Phase 2, as proposed, and beyond, unless action is taken to add capacity at the intersection. The staff recommendation includes a condition of approval that requires traffic volume counts be taken on these streets and street connection be made to Redland Road if volumes will exceed 2000 trips per day at any point in the development buildout. Traffic calming elements are also recommended.	See findings and conditions of approval in 17.65.050.C.3. Relevant conditions of approval: #5, 6, and 7
7	Proposed lot sizes are small, yard space is undersized, smaller lots sizes lead to more impervious surfaces; 1800 square feet does not allow for enough space for parking and privacy	The proposed variance allows the applicant to develop additional attached dwellings in the area to meet the density in the Concept Plan while also providing ample open spaces. The applicant points out that the City is proposing to amend its own code in upcoming months to revise the minimum lot size for townhomes, which are synonymous with attached single family homes. The City's plans to change the minimum lot size to	See findings in 17.60; see condition of approval #54

		1500 square feet will comply with state law as well as provide a more practical lot size for attached homes. As the applicant points out, a lot depth of 140+ feet would be required to maintain the current minimum lot size. Decreasing the minimum lot size to 1800 square feet, which is the applicant's request, would mean that lot depth would be 90 feet for a 20-foot-wide lot. A typical townhome footprint is 20' x 45', which would mean that the yard space in front would be likely 5-20 feet in depth and in the rear, 20 to 40 feet in depth. These dimensions are in line with the typical medium density development patterns. The applicant's proposal addresses open space impacts by providing ample open spaces including a public park and numerous natural areas where streams and forested hillsides are maintained. The proposed adjustment to dimensional standards only applies to interior lots, meaning that lots along the perimeter of the site that share property lines with neighbors will be held to the dimensional standards in the code, and cannot be reduced by 20%. Additional mitigation for the proposed lot size variance is required in a new condition of approval #54.	
8	Concerns about high density; population density will be even higher than unit density due to family sizes, 1800 square foot lots will be 20 units per acre.	The proposed development is within the Park Place Concept Plan area; the Concept Plan requires a minimum of 937 units within the North Village area. The applicant is required to meet the density approved in the Park Place Concept Plan (which equates to a minimum of 469 units within the 92 acre area) and has proposed adjustments to standards, an NROD density transfer, and a variance for attached single family lot size in order to do so.	See findings in 17.60 and 17.65.050.C.6
9	Holly Lane street width at the "pinch point" between Taxlot 314	The "pinch point" location for Holly Lane was identified in the Park Place Concept Plan. The applicant has proposed a cross section consistent with the City's residential collector street	The proposed constrained cross section appears to meet the intent of the City's standards for

	Tax Map 2-2E-28AD and Taxlot 400 Tax Map 2-2E-27C	standard for number of travel lanes, lane widths, bicycle lanes, and sidewalks. Street parking and the landscaping strips are proposed to be eliminated at the pinch point to reduce the total width of public right of way in this area. Green space is proposed on the northwest and southeast corners of the pinch point.	safety, accessibility for vehicles, bicycles, and pedestrians. No exception to the proposed preliminary constrained street design is proposed or authorized at this time. Further review of the street design will occur with the Detailed Development Plans.
10	Street extensions shown into neighboring properties	These street extensions into areas of urban reserve are shown for the purposes of demonstrating the feasibility of the proposed development pattern to facilitate connections into neighboring properties that could be eventually included in the UGB. No actual extension or easement to provide such connections will be required.	N/A
11	Deforestation and loss of habitat, fractured habitats. Request for a periodic review of Goal 5 and update of the natural resources inventory.	The City's Goal 5 inventory has been acknowledged by the State Department of Land Conservation and Development including protection of the riparian corridors throughout this site, which this GDP proposal shall retain. It is expected that tree removal will need to occur to make urban development possible. The City and Metro region chose to add this land to the urban growth boundary to allow for urban development for additional housing capacity while maintaining Goal 5 natural resource protections in place. The proposal will be subject to tree removal and mitigation standards in OCMC 17.41 for each phase.	See findings in Comprehensive Plan Goal 5; see NROD review conditions #13 and #17
12	Light pollution	The City's standards for lighting on private property does not apply to residential uses (except multifamily). The City has a nuisance code to provide protection to residential areas from lighting impacts.	See findings in Comprehensive Plan Goal 6
13	Noise	Residential development proposed is typical of the region and no abnormal impacts from noise are expected. No high-traffic corridors are part of the development or adjacent to the development.	See findings in Comprehensive Plan Goal 6

14	Trespassing concerns, privacy concerns for neighboring properties	The City and Metro region chose in 2002 and earlier to add this land to the urban growth boundary to allow for development at urban densities for additional housing capacity while maintaining other farm and forest lands outside the UGB for conservation. Each phase and each lot will be required to show compliance with required setbacks, which are in place to maintain a level of separation and privacy form other properties. Neighboring owners outside the city limits can add fencing as permitted by County zoning regulations if there are trespass concerns.	N/A
15	Traffic impact study is flawed, HWY 213 and Redland needs to be addressed before allowing additional traffic volume	The applicant's Traffic Impact Analysis indicates that the system can handle the increased traffic volumes from the development without this connection; however, it is clear that the intersection of HWY 213 and Redland Rd, will be over capacity at some point between proposed Phase 1 and Phase 2. This means that the applicant will likely not be able to demonstrate compliance with transportation mobility standards for Phase 2, as proposed, and beyond, unless action is taken to add capacity at the intersection.	See findings and conditions of approval in 17.65.050.C.3. Relevant conditions of approval: #5, 6, and 7
16	Consistency with Natural Hazards mitigation plan. Concern that tree removal will increase flooding and landslide risks, paving over wetlands will decrease ability of area to absorb water	The development shall comply with City standards for development in geologic hazard areas (landslides) and Natural Resource Overlay Areas (wetlands). Stormwater management, tree mitigation and Erosion control standards will be required at the detailed development planning level.	See findings in 17.44 and 17.49 of the attached staff report memorandum
16	Emergency evacuation routes in the area are limited, concern that traffic bottlenecks cause large backups on Holcomb and this development will add traffic to the backups	Staff has included findings addressing the concerns about the wildfire evacuations, including a discussion of upcoming efforts by the Clackamas County disaster management division. The County Disaster Management staff have provided information indicating evacuation route planning efforts have been delayed, but are still planned to begin in 2022.	See findings in attached staff memorandum.

17	Plans are difficult to read, legends are missing information. GIS maps are out of date.	Staff is available to help community members get a better understanding of the plans and next steps before development can occur. The City's and applicant maps are up to date. The City's NROD Inventory map has not been updated in many years; however, it appears the mapped streams generally match the conditions on the ground today as reflected by the applicant's NROD Study, and with the conditions of approval, the applicant will be required to verify their exact location and extent with third party review.	See conditions of approval #13 and #17.
18	Why have the NC zone "main street" standards for Park Place not yet been adopted?	The Park Place concept plan states: "As part of the implementation measures proposed for Park Place, the City's existing Neighborhood Commercial (NC) zone will be modified to include "main street" standards for use in creating vibrant neighborhood centers in the North and South Villages. The NC zone was updated as part of L-08-01 and again in 2014 when the City adopted code for the South End Concept Plan. The amendments included OCMC 17.24, OCMC 17.62, and 17.52, with amendments to implement both the Park Place Concept Plan and South End Concept Plan; as described by language in 17.24.010 of the NC zone Chapter, which states, "This district may be applied where it is appropriate to reduce reliance on the automobile for the provision of routine retail and service amenities, and to promote walking and bicycling within comfortable distances of adjacent residential infill neighborhoods, <u>such as within the Park Place and South End Concept Plan areas</u>. Approval of a site plan and design review application pursuant to OCMC 17.62 is required."	N/A
19	Concerns about landslides and lack of availability of landslide insurance	Geologic Hazards within the City of Oregon City are regulated in OCMC 17.44. There is no proposed construction on the mapped landslide deposits within the development area. The proposal includes some impacts to mapped steep slopes within the development area. The project is conditioned (condition 36) to review the	See Findings on Chapter 17.44 on future requirements at the DDP review.

		impacts to the mapped geologic hazard areas within the project area at the time of detailed development plan with respect to City Code 17.44 and has been advised that adjustments to the site plan may be needed at that time. A requirement for landslide insurance is not a part of the City's regulatory requirements and is not something required of the project whether insurance is available or not. However, the City does regulate and require properties to have indemnity documents recorded on their properties where mapped geologic hazard exists. Those documents are recorded at the County and exist with the property in perpetuity and will show on a title report search to a future buyer.	
20	A single large detention facility for stormwater does not represent good stewardship of water resources	A single regional detention facility is an allowed stormwater management strategy as shown in the Stormwater and Grading Design Standards 2.2.4. The applicant is required as conditioned (conditions 30 and 35) to meet the Stormwater and Grading Design standards. The Stormwater Management Strategies are prioritized from Level 1 thru Level 4. The applicant will be required to show why Level 1 and 2 cannot be achieved and why level 3 (regional facilities) meets the requirements of section 2.2.4 as part of reviewing the entire project during each phase and each detailed development plan submittal. Added condition of approval #54 includes a mitigation option to design the storm pond(s) as a wetland; the applicant may choose this option among the three provided.	Stormwater management to be further reviewed at the DDP.
21	Neighbors on the south side of Livesay Road have requested that any right-of-way expansion needed come from the applicant's side of Livesay Road and that the new centerline and any required street	Livesay Road is a County Road. Road improvements to County Roads are regulated by Clackamas County. If the commenter's request is to be considered, it will occur at the DDP level and with Clackamas County staff.	N/A

	improvements not affect their existing frontages.		
22	The adopted Wetland Inventory did not include the full development area because parts of it were outside the UGB at that time. Tributaries of Charman Creek are not included in the city's inventory.	The City added the full UGB area to its Natural Resource Overlay District in 2008, using wetland and stream inventory data from the County and Metro. A recommended condition of approval has been added for formal NROD Verification of Charman Creek before or as part of the Phase 1 DDP, with third party review required.	See revised condition #13
23	The Trailview Heights HOA is unwilling to grant approval for any easements or construction on Lot 14 related to the Park Place Crossing development	While the applicant's plans do appear to show a portion of Holly Lane constructed on Lot 14, the City does not require that the applicant use that property. It appears there is enough width in the main development property to accommodate Holly Lane. The GDP is preliminary, and we do not currently know the exact final alignment of Holly Lane. If the final engineering plans end up requiring that the application use a portion of Lot 14, the use of Lot 14 is between the applicant and the HOA (not the City).	
24	The City should invite Metro, DLCD, and other agencies to discuss this plan.	The City provided notice to affected agencies on March 30th via email. The official land use transmittal email and distribution list is now included in the record. Agencies included in the notice are the County, ODOT, TriMet, Metro, Clackamas River Water, Water Environment Services (Tri-City Sewer), Clackamas Fire District, and Oregon City School District. The City's standard procedures for agency notice were followed. Comments from many of the affected agencies have been received and are in the record.	It is not typical for DLCD to be sent a notice for local land use actions unless there is a proposal to amend the Comprehensive Plan. Nonetheless, the City reached out to the Department of Land Conservation and Development (DLCD) on May 12 and received confirmation that no notice or review by DLCD is required.
25	There is a "Baker Conflict" in the NC-Neighborhood Commercial zone where the applicant has proposed a park and a stormwater pond.	The park and storm facility are permitted uses in the NC zone and do not compromise the ability to have commercial and mixed use development elsewhere in the zone. See attached memorandum from Assistant City Attorney Carrie Richter for more detailed analysis.	N/A
26	Commercial development and amenities – concern over lack of	The staff recommendation includes a condition of approval to require street improvements and utilities be brought to and	See condition of approval #22.

	specific development proposed, lack of neighborhood amenities such as shopping and dining, and request that the commercial parcels be constructed with all infrastructure and that the City have first right of refusal to purchase the parcels.	through the street frontages for the proposed commercial/civic parcels. However, there is no condition in the current recommended list of conditions of approval requiring City's first right of refusal to acquire the sites. The Park Place Concept Plan calls for about 40,00 square feet of retail or commercial space, as well as mixed use development within the North Village central area. The applicant has proposed a proportional amount of acreage for future commercial development, but has not proposed any specific development for the sites. The degree to which the applicant must show compliance with these elements of the Concept Plan is a question for the Planning Commission.	
27	Concern about increased use of existing Holly Lane south of Redland Rd	The proposal does not include an extension of Holly Lane to connect to the existing intersection of Holly and Redland Road. This connection is expected to occur in the future as other parts of the Park Place Concept Plan area are annexed and developed. The Park Place Concept Plan ultimately plans for urban development of areas south of the subject property, including the area around Tumwata (formerly Ogden) Middle School and the Holly Lane area. The adopted Transportation System Plan includes projects that would widen Holly Lane and improve intersections along the corridor to handle increased traffic. None of these projects are designed or scheduled at this time, so the timing is unknown.	N/A
28	The proposal does not include the strategies identified in the Park Place Concept Plan to create a green, low impact, and habitat-friendly neighborhood.	The City's stormwater manual allows for a range of options to manage stormwater. Many of the strategies listed in the Concept Plan are technically voluntary, as they are not required by any development standards in the municipal code. That said, the degree to which the applicant must show compliance with these strategies in the Concept Plan is a question for the Planning Commission. The city's tree code does not require that any specific amount of trees or percentage of tree canopy be preserved; rather,	N/A

		removal of trees is subject to robust mitigation planting in OCMC 17.41.	
29	Is it legally possible for Oregon City to construct a street in areas outside the City limit, with respect to Holly Lane?	The City has had some preliminary discussion with the County regarding options for Holly Lane extension to Redland Road. There are several legal pathways; including having the road be under County jurisdiction; annexing only the roadway itself; and constructing the road only after all the underlying properties are annexed into the City. Findings in current staff report reflect further conversations with the County regarding the permit requirements, planned Clackamas County TSP projects, and timing of improvements to Holly Lane / Redland Road Intersection.	See Condition of Approval #10
30	Request for analysis of buildable acreage in the Park Place Crossing area versus the entire North Village to determine if the proposed number of units is actually proportional and in keeping with the Concept Plan.	The buildable acreage in the Park Place Crossing Development is approximately 70 buildable acres (out of a total of 92 gross acres). This represents approximately 42% of the total buildable acreage in the North Village. However, due to the variation in land use designations in the Comprehensive Plan, a direct comparison of buildable acreage is not particularly helpful. The zoning in the area occupied by Park Place Crossing Master plan, approved by the City in 2018, includes high amount of acreage as medium density and a very small amount of acreage as low density. South of Livesay Road, in the remaining portion of the North Village, the Comprehensive Plan designations are such that a much higher percentage of land will be zoned as low density than in the Park Place Crossing Master Plan, which reduces the number of units, even though the total acreage is higher. A detailed analysis will be provided by staff in coming weeks as needed.	N/A
31	How the proposed General Development Plan complies with the density requirements of the Park Place Concept Plan and the	The minimum and maximum number of units allowed by zoning is approximately 316 and the maximum, with the permitted NROD density transfer, is 469. Based on land area percentage of the development within the larger North Village, the number if units in the Park Place Concept Plan is slightly higher (491),	Staff Report Pages 33-39 COA #

	minimum and maximum density requirement of the zoning code.	however, the concept plan envisioned that density could be lower or higher based on reduced or increase buildable area through further site specific analysis. The applicant proposes 426 units within the underlying residential zoning (R-5 and R-10 composite) with the revised layout. Additional residential units are permitted within the NC zone. The PPCP also imposes a requirement for transitioning of lot sizes which results in lower density at the edges of the development. A Condition of Approval is recommended added to allow applicant to provide additional housing in the NC zoned areas, through subsequent DDP amendments up to 10%, and through missing middle housing.	
32	The timing, phasing and mechanism for when and how the Redland Road connection will be made.	The earliest a connection to Redland Road could be made is 2027, since the connection cannot be made until the Holly Lane Bridge upgrades and intersection improvements are completed per the County's Transportation System Plan. The applicant is in the process of acquiring properties abutting the future alignment of the Holly Lane connection in order to accommodate the needed capacity and connectivity for the buildout of Phases 4-6 of the master plan area. It is reasonable to expect that the Holly Lane Connection will occur before the Phases 4-6 are completed. Therefore, the applicant shall provide a timeline and plan to complete the Holly Lane to Redland Road connection with the submittal of Detailed Development Plans for phases 4-6, or concurrent with the County's planned TSP Projects 1109 and 1120, whichever occurs first.	Staff Report page 58 COA #9 and #10
33	How the proposed park realignment and new layout for Neighborhood Commercial areas complies with the Park Place Concept Plan.	The Mixed Use/Civic/Village Green area has been revised to three parcels of 0.51 acres, 0.56 acres and 1.26 acres (total 2.43 acres), bisected by an additional local street to provide a continuous corridor for the Livesay Main Street area, updated to include only uses permitted within the Neighborhood Commercial zone, and provide additional transportation connectivity that better integrates this area with the Park Place Crossing neighborhood and future Park Place North Village	Staff Report page 67-68, 96, 118, 126 COA #11, #27

		areas. The amount of land for these uses is consistent with and proportional to the Park Place Concept Plan. The future public park site of 4.3 acres has been reconfigured and although 0.1 acres smaller than originally proposed, provides sufficient land in proportion with the number of units proposed within the development.	
34	The design of the cross section of Holly Lane at the pinch point and concerns regarding noise, grading and buffering from adjacent Trailview Estates residents.	At the time of DDP submittal for phase 1 the applicant shall propose landscape screening, retaining wall design, and sound buffering and / or sound walls to address vehicular light pollution and noise from proximity to Holly Lane for any existing lots in the Trailview subdivision within 50 feet of the new right-of-way of Holly Lane. For new lots in the proposed development, such measures may also include larger setbacks or reverse frontage lots and building designs.	Staff Report pages 92, 138, 149 COA #32,
35	Engineering staff input regarding the geologic hazard slope stability and conditions and differences between in the North and South Village areas of the concept plan.	The applicant has not proposed development in the South Village area. The applicant has submitted a preliminary geologic assessment for the development of the North Village Area. General Development Plan per OCMC 17.44. A Detailed Development Plan has not been submitted yet. When the applicant applies for a DDP, additional review for compliance with OCMC 17.44 shall be required that includes a detailed description of the impacts of the proposed development and underlying geology as more detailed plans and geotechnical analyses are provided and plans are revised to comply with the City's geologic hazard requirements.	Staff Report - OCMC 17.44 COA #'s 40, 53, 54, 55
36	Discussion of how lots will be sized to better blend with adjacent development and protect existing surrounding residents	To promote a smoother transition between lot sizes the development, with the proposed 8/11/2022 revision, the applicant has provided larger lots abutting open space and existing R-10 zoned residential subdivisions such as Trail View Estates. This would reduce the overall lot count somewhat where the transition occurs, but the shortfall in the immediate single-family detached residential units may be made up for through the provision of attached single-family units, middle housing permitted under new statewide housing laws, in the	Staff Report – Page 36, 37, 39, 119, 120, 122

		form of ADUs, or through mixed-use development and multi-family development within the Neighborhood Commercial-zoned area of the proposal. Also, townhomes lots have been reconfigured with greater alley access. Staff has recommended a condition of approval to assure the transition between lot sizes is provided as proposed.	
37	An explanation from the City Attorney concerning Baker v. City of Milwaukie and the relevance to this land use review.	See separate Memo from City Attorney.	See separate Memo from City Attorney.
38	Sight distance concerns for the Holly Lane extension to the north realignment and concerns over steep slopes and impeded vision along the "S" curve.	Sight Distance compliance with OCMC 10.32 and the City's road engineering standards will be further reviewed with final road alignment plans submitted at the time of Detailed Development Plans.	See Applicant's Transportation Analysis and review by Replinger and Associates.
39	Comments that city should offer insurance and be liable for landslides	Geotechnical engineering and structural engineering are sciences of probabilities with numerous factors. The City will apply the best available science and code to provide the best designs that minimize the chance of landslide. This does not mean that something will not slide. It means the City is doing the best we can with the information we have to reduce the probability and minimize the chance. The city will not accept liability for landslides. Indemnity for Geologic Hazards is required to be supplied to the City with a document recording fee for all new private development constructing anything relating to City Code 17.44 with a geologic hazard. The document indemnifies the City if anything were to happen to the property due to its geologic conditions.	See OCMC 17.44.120 - Liability.

COMMENT FORM

#1

OREGON CITY

*****PLEASE PRINT CLEARLY*****

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to ***3 MINUTES***.
- Give to the Clerk in Chambers ***prior*** to the meeting.

Date of Meeting 7/25/2022

Item Number From Agenda 1

NAME: Tom Geil

ADDRESS: **Street:**

City, State, Zip:

PHONE NUMBER:

E-MAIL ADDRESS: Tgeil@comcast.net

SIGNATURE: Tom Geil

COMMENT FORM

#2

OREGON CITY

*****PLEASE PRINT CLEARLY*****

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to ***3 MINUTES***.
- Give to the Clerk in Chambers ***prior*** to the meeting.

Date of Meeting 11-25-22

Item Number From Agenda 2

NAME: CHRISTINE KOSINSKI

ADDRESS: **Street:** HOLLY LN

City, State, Zip:

PHONE NUMBER:

E-MAIL ADDRESS:

SIGNATURE: Christine Kosinski

Pete Walter

From: JoAnn Grugan <jgrugan74@gmail.com>
Sent: Saturday, May 14, 2022 3:46 PM
To: Pete Walter
Subject: AN-17-0004 / ZC-17-0005 Park Place Annexation and Zone Change

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.

Dear Mr Walter,
I am a resident of Oregon City living at 15261 Holcomb Blvd. and I have just learned of the proposed development in my neighborhood. I am writing to voice my strong opposition to this project. I believe the impact to our community would be devastating. This neighborhood is rural and the significant increase in access needs would create unacceptable traffic issues. More importantly, in light of the very real fire risks in the area, I believe this increase in homes would lead to an inability to evacuate safely should wildfires erupt in the nearby areas. I witnessed first hand the bottleneck traffic outside my window in 2020. A similar event could prove deadly with such an increase in demand to access Holcomb Blvd.
I would welcome the opportunity to discuss this further with you if need be.
Respectfully,
JoAnn Grugan
15261 Holcomb Blvd, Oregon City, OR 97045
603-759-8520

Pete Walter

From: shannin 3 <shannins@hotmail.com>
Sent: Tuesday, August 16, 2022 7:33 PM
To: Planning
Subject: Park Place Crossing Project

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.

I am a single father raising two children living in Oregon City. Writing in regards to this projected project, the Park Place Crossing. I was made aware that there had been a "traffic study" done at the intersection of Holcomb Rd and Redland Rd. This study was conducted during COVID (the beginning of it) and by no means represent an accurate accounting of the traffic that passes through this area. Since all the building of the new housing developments out Holcomb Rd, one of which has barely just started, traffic has increased exponentially. During the school year the traffic backs up all the way done to Steves Market and has become dangerous for all the parent turning trying to get into the school. Now with this new development being built and the projected vehicles just from those homes traffic is going to be even worse, especially at the corner for the school. When we had the fires and all of the homes were on evacuation it took 2 hours to get out of this area because of the traffic then. This area has not met Federal Safety Standards for evacuation since the 1970's and no one has taken the time to address the situation, only add to the problem. Where is the money going to come from to fund all of this? The road improvements, schools that will have to be built on so forth? As it is right now my water bill is over $100 every month, when my water usage is $10 and the rest is for suppose to already be going towards some of those items, I have yet to see any of them near my residence. In fact there recently was an additional fee added on, it only states tax. Tax for what? And why do these items keep adding on to essential services when the city should be trying to have the residents vote a tax in, if they so chose. When are the citizens voices going to be heard and not just have decisions that affect our every day living decided by in a public office position?

Thank you
Sean Mclaughlin

Pete Walter

From: janice troxler <djtroxler1@outlook.com>
Sent: Tuesday, August 16, 2022 10:38 AM
To: Planning
Subject: Park Place Crossing

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.

I am a resident off Holcomb Blvd/Sandalwood. May concerns for the above project are:

1. Too many vehicles on Holcomb Blvd. especially during any type of evacuation. During the fire evacuation it took us 2 hours to drive 4 miles. Thank goodness the fire was not right on us.

2. Schools for all of the incoming children. Who will be paying for these?

3. Who will pay for the damage done to Holcom Blvd. due to construction vehicles?

4. Environment -- animals. The environment will change as trees/foliage will be coming down. Animals will once again have to move to another area.

5. The Historic Oregon City will go away from all of the crowding of homes/apartments/vehicles. Park Place Crossing/Serres/Old Dump site!!

Thank you for considering my issues.

Janice (Jan) Troxler