



CITY OF OREGON CITY PLANNING COMMISSION AGENDA

Commission Chambers, Libke Public Safety Building, 1234 Linn Ave, Oregon City
Monday, July 10, 2023 at 7:00 PM

REGULAR MEETING OF THE PLANNING COMMISSION

Ways to participate in this public meeting:

- *Attend in person, location listed above*
- *Register to provide electronic testimony (email ocplanning@orc.org or call 503-722-3789 by 3:00 PM on the day of the meeting to register)*
- *Email ocplanning@orc.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)*
- *Mail to City of Oregon City, Attn: Community Development - Planning, P.O. Box 3040, Oregon City, OR 97045*

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. GLUA-23-00012 / MAS-23-00001 Clackamette Park Master Plan / 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:** 07/10/2023

From: Pete Walter, Planning Manager

SUBJECT:

GLUA-23-00012 / MAS-23-00001 Clackamette Park Master Plan / General Development Plan

STAFF RECOMMENDATION:

Approval with Conditions for GLUA-23-00012 / MAS-23-00001

EXECUTIVE SUMMARY:

Planning Commission reviewed the General Development Plan for the Clackamette Park Master Plan on June 26, 2023 and continued the item to July 10, 2023 to allow time for additional research and findings to support a recommendation of approval with conditions.

Staff has revised the staff report and recommended an additional condition of approval to address the proposed recreational vehicle park, which is currently not a permitted use in the Mixed Use Downtown (MUD) zone. Please see Condition of Approval #32 in the revised Staff Report.

32. To permit parcels 2-2E-30 -00601 and 2-2E-30 -00500 to be used for a city-owned RV park, the following zoning amendments will be necessary.

Given its location and amenities, Clackamette Park has long been a well loved park, central to the community and a draw to the wider region. Because of general usage and ever evolving usage trends, several key amenities of the park were in need of upgrades or replacement, including the boat ramp, RV park, restroom building and pedestrian trail system. Oregon City Parks conducted an extensive outreach campaign to solicit input on the future of the park. Specific improvements to Clackamette Park that are included in this master plan include reorienting the main park entry, upgrades to site pedestrian and vehicular circulation, parking, a new boat launch facility, upgrading the existing boat launch facility to serve human powered craft, a new play area and large flexible open lawn spaces. Improvements also include relocating the RV park out of the flood plain, upgrading the restroom facilities, expanding the existing skate park, sport courts, art

installations and extensive habitat restoration that includes plantings of trees, shrubs and ground cover.

City Code requires that Institutionally Zoned properties over 10 acres in size have a master plan approved pursuant to the standards in OCMC 17.65 by the Planning Commission prior to development.

The entirety of the park falls within the Natural Resources Overlay District, the Flood Management Overlay District and the Willamette River Greenway Overlay District.

The General Development Plan does not approve any construction.

A Detailed Development Plan application must be submitted through a subsequent Type II or III land use process prior to any actual site construction and improvements.

BACKGROUND:

Please see attached Staff Report and Recommendation for GLUA-23-00012 / MAS-23-00001

See project website: <https://www.orcity.org/planning/project/glua-23-00012>

OPTIONS:

1. Approve GLUA-23-00012 / MAS-23-00001 with conditions recommended by Staff.
2. Approve GLUA-23-00012 / MAS-23-00001 with conditions modified by the Planning Commission.
3. Do not approve GLUA-23-00012 / MAS-23-00001.

TYPE III STAFF RECOMMENDATION - REVISED
7/3/2023**Submitted: 04/18/2023**
Complete: 05/10/2023
120-day Deadline: 9/7/2023
NOD:**HEARING DATE:** July 10, 2023, continued from June 26, 2023, Planning Commission**FILE NUMBERS:** GLUA-23-00012 / MAS-23-00001**APPLICANT:** Lango Hansen Landscape Architects, Attn: Brian Martin
1100 NW Glisan St, Ste. 3A, Portland, OR 97209
Representing: Kendall Reid, Director, Oregon City Parks and Recreation Department**OWNER:** City of Oregon City
625 Center St, Oregon City, OR 97045**REQUEST:** Approval of a Master Plan / General Development Plan for Clackamette Park**LOCATION:** 1955 Clackamette Drive and adjacent parcels.
2-2E-30 -00600, 2-2E-30 -00100, 2-2E-30 -00102, 2-2E-30 -00500,
2-2E-30 -00601, 2-2E-30 -01300**ZONING:** I – Institutional, MUD – Mixed Use Downtown**REVIEWER:** Pete Walter, Planning Manager
Sang Pau, Development Services Project Manager**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 conditional use permits. 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. 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.

Findings for compliance with the following sections of the Oregon City Municipal Code are provided on the pages indicated.

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Recommended Conditions of Approval

GLUA-23-00012 / MAS-23-00001

(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.

1. Future Detailed Development Plans (DDPs) shall comply with the conditional approval of Planning file GLUA-23-00012 / MAS-23-00001 and any amendments within this application. (P & DS)
2. Detailed Development Plans (DDPs) within the master plan area shall provide 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 of the Public Works Stormwater and Grading Design Standards. (DS)
3. The developer for future DDPs shall obtain a 1200-C (NPDES) permit from Oregon Department of Environmental Quality (DEQ) for construction activities one acre or greater prior to receiving any city permits for construction. (DS)
4. If construction activities are proposed within the jurisdiction of Oregon State Division of State Lands (DSL) and/or United States Army Corps of Engineers (USACE), the developer shall obtain permits from those government agencies. (DS)
5. If construction activities are proposed within the jurisdiction of Oregon State Department of Fish and Wildlife (ODFW), the developer shall obtain permits from those government agencies. (DS)
6. Each individual phase of the master plan shall submit or address all items in section 16.12.014 of the Oregon City Municipal Code based on the timing requirements contained therein and as deemed applicable by the City. (DS)
7. Project C1 of the Transportation System Plan (TSP) shall be completed with completion of the RV Park located on the south side of Main Street. TSP projects S1 and W2 shall be completed by when the master plan completes more than 75% of the master plan.
 S1 – Shared-Use Path (this path will fulfill a portion of Regional Trail R1): Add a 10-foot-wide (or wider) shared-use path on the north side of the Main Street which connects to the pedestrian path for the park.
 W2 – Main Street Sidewalk Infill. (A shared-use path added per project S1 may fulfill a portion of this): Construction sidewalk along the frontage of the development properties (along Main Street and Clackamette Drive).
 C1 – Clackamette Drive Crossing. Provide an ADA compliant crosswalk (including ADA compliant curb ramps) and pedestrian activated signal from Clackamette Park overflow lot to the Clackamette Park entrance. (DS)
8. Street trees shall be placed in 5'x5' tree wells or in other acceptable locations, as prescribed by OCMC 12.08. Tree wells, if utilized, shall not encroach into the 10-foot-wide pedestrian path required along the frontage of the development. The Detailed Development Plan (DDP)

proposed with this master plan shall provide 10-foot-wide sidewalk with 5'x5' tree wells along the west side of Clackamette Drive or provide an ADA compliant 10-foot-wide (or wider) shared use path which provides pedestrian connectivity between Main Street and Clackamette Drive (this path will also fulfill Regional Trail R1). (DS)

9. The DDPs proposed with this master plan shall provide street lights along all street frontages in conformance with all City standards, specifications, codes, and policies and as approved by Portland General Electric (PGE). The applicant shall submit photometric plans.
10. Entry points for accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall align with pedestrian crossing points along adjacent streets and with adjacent street intersections. (DS)
11. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall be free of horizontal obstructions and have a nine foot six inch high vertical clearance to accommodate bicyclists. (DS)
12. Accessway (sidewalks & shared-use paths relating to TSP S1 & W2) lighting shall be 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. (DS)
13. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall comply with Americans with Disabilities Act (ADA). (DS)
14. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall be designed to prohibit unauthorized motorized traffic (E.G. lockable bollards). (DS)
15. Accessway (sidewalks & shared-use paths relating to TSP S1 & W2) surfaces shall be paved with all-weather materials as approved by the City. (DS)
16. The applicant shall provide a covenant over the pedestrian and bicycle accessways which are not part of an existing or proposed public right-of-way and be responsible for the future maintenance and liability. (DS)
17. Detailed development plan (DDPs) associated with this master plan shall demonstrate compliance with intersection mobility standards per 16.12.033. If there are adverse impacts to the McLoughlin Boulevard & Dunes Drive intersection, future DDPs shall coordinate the Oregon Department of Transportation for a remedy. (DS)
18. Driveways shall meet the minimum driveway spacing standards identified in Table 16.12.035.A. (DS)
19. Driveways shall meet the minimum driveway width standards identified in Table 16.12.035.D (specifically for Collector Streets). (DS)
20. Driveways shall meet standards identified in 16.12.035.H. (DS)
21. The DDPs proposed with this master plan shall provide, at a minimum, a 5-foot-wide public utility easement (PUE) along all property lines fronting existing or proposed right-of-way. (DS)
22. The DDPs proposed with this master plan shall coordinate with Water Environment Services (WES) to ensure subsequent DDPs and the existing and proposed WES sanitary sewer mains are not in conflict. (DS)

23. The DDP(s) proposing water infrastructure work shall abandon the existing cast iron mains/services entering the development property per Oregon City Water Distribution System Design Standards. Water service connections shall be from the existing 12-inch ductile iron water main within Main Street or Clackamette Drive, and compliant with the Oregon City Water Distribution System Design Standards. (DS)
24. New franchise utilities for DDPs shall be placed underground and all existing overhead utilities adjacent to the property frontage shall be relocated underground unless deemed infeasible by the City and franchise utility provider(s). (DS)
25. The property owner(s) shall sign a Restrictive Covenant Non-Remonstrance Agreement for the purpose of making storm sewer, sanitary sewer, water or street improvements in the future that benefit the property and all fees associated with processing and recording the Non-Remonstrance Agreement shall be paid. (DS)
26. If construction is proposed within the geologic hazard overlay district with the DDPs associated with this master plan, those DDPs shall address the requirements of chapter 17.44. (DS)
27. All structures included in the park development will be reviewed for full compliance with the floodplain management overlay district regulations in OCMC 17.42 and other applicable regulations at the time of Detailed Development Plan review. (P)
28. When a Detailed Development Plan is proposed, the applicant shall provide a summary and description of the uses allowed outright (exempted) within the Natural Resources Overlay District and the approximate area of the project site devoted to such uses. Specifically, areas devoted to habitat restoration and enhancement shall be differentiated from areas of new NROD impact that require mitigation. (P)
29. At the time of detailed development plan the applicant shall provide a parking analysis for approval by the Community Development Director to assure that parking is sufficient and appropriate for the proposed park use. (P)
30. Should the applicant request any adjustments to the development code at the time of Detailed Development Plan submittal, those adjustments shall be reviewed through a Type III process pursuant to the OCMC 17.65.070 unless the code provides otherwise. (P)
31. This master plan shall expire twenty years from the date of issuance of the Notice of Decision pursuant to 17.65.040(F). (P)
32. To permit parcels 2-2E-30 -00601 and 2-2E-30 -00500 to be used for a city-owned RV park, the following zoning amendments will be necessary.
 1. Zoning Code text amendment. Amend the zoning code to allow overnight camping in a recreational vehicle as a permitted use in the I - Institutional Zone District.
 2. Comprehensive Plan map amendment. Amend the Comprehensive Plan map to change the current comprehensive plan designation of parcels 2-2E-30 -00601 and 2-2E-30 -00500 from Mixed Use Downtown to P – Public.
 3. Zoning Map amendment. Amend the Zoning map to change the zoning of parcels 2-2E-30 -00601 and 2-2E-30 -00500 from Mixed Use Downtown to I – Institutional.

The three processes described above may be pursued concurrently, but require a separate Type IV process pursuant to OCMC 17.68 – Zoning Changes and Amendments, which should occur

independently following approval of this master plan. As a condition of approval of this master plan and prior to the approval of a detailed development plan or any other site specific development plan for the city-owned RV park on parcels 2-2E-30 -00601 and 2-2E-30 -00500, the applicant shall seek approval of a comprehensive plan and zoning amendments identified above. If the zone changes for parcels 2-2E-30 -00601 and 2-2E-30 -00500 are not approved, the applicant shall apply to amend the master plan to remove parcels 2-2E-30 -00601 and 2-2E-30 -00500 from the proposal, propose an alternative location for the RV park use, or an alternative use that is allowed in the Mixed Use Downtown zone. (P)

I. BACKGROUND

1. Existing Conditions

Clackamette park is a 27-acre charter park situated at the confluence of the Willamette and Clackamas Rivers. It is Oregon City's only park that is designated as a regional park, and due to the park location and types of facilities located on the property it sees heavy use from residents of Oregon City and people throughout the region. Facilities at the site include an RV Park, playground area, shelter structures, horseshoe pits, picnic areas, a boat ramp, a skate park, an RV dump station, pathways, a restroom building and parking facilities for both cars and vehicles with trailers.

Existing Zoning and Uses

Most of the park uses and structures were established prior to the adoption of various land use and overlay zone district standards and have been continuous to the present. Today, the park falls within four separate overlay zones, each which has its own chapter in the Oregon City zoning ordinance. The following overlay districts and the percentage of the property within each of them is indicated below.

Overlay District	Percent of Property Regulated	Notes
Flood Management	100% (100-year floodplain)	Regulates development within the floodway and floodplain. The property was entirely underwater in the 1996 flood.
Geologic Hazards	Varies by tax lot	The perimeter of property has slopes >25% due to river banks and steep embankments for OR 99-E
Natural Resources (NROD)	100%	The entire park falls within the NROD as required by Metro Title 13.
Willamette River Greenway	100%	Requires compatibility review for impacts to the Willamette River



Figure 1. Vicinity Map – Tax lots indicated with yellow border.



Figure 2: Existing Conditions

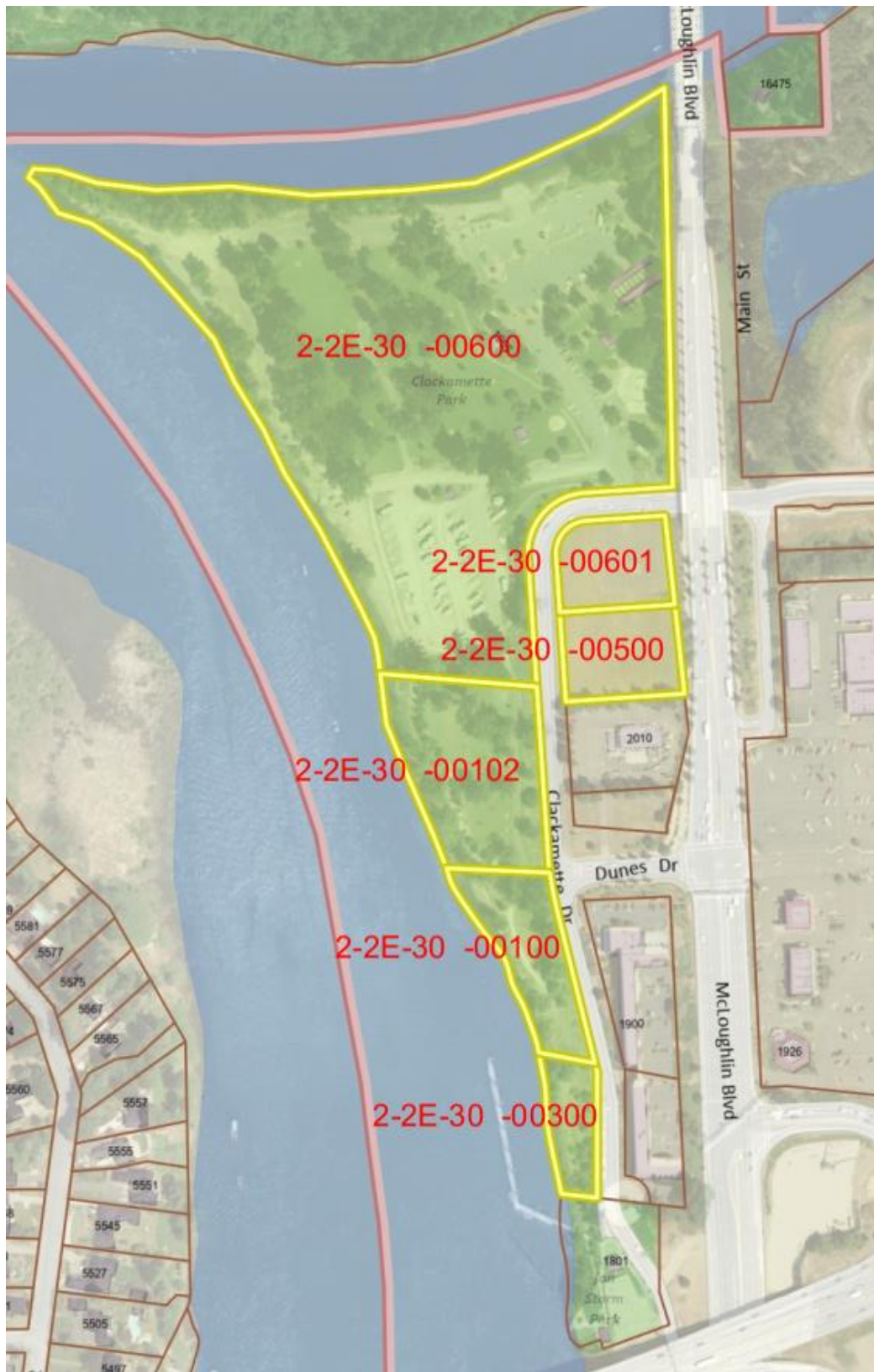


Figure 3. Tax lots indicated with yellow border.

This general development plan proposal encompasses six tax lots which are summarized below:

Tax lot	Size (ac)	Zoning	Use	Comment
2-2E-30 -00600	20.09	I	Park	
2-2E-30 -00102	2.69	I	Park	
2-2E-30 -00100	1.41	I	Park	
2-2E-30 -01300	0.69	I	Park	
2-2E-30 -00601	1.05	MUD	Parking lot, vacant	Urban Renewal Owned
2-2E-30 -00500	1.11	MUD	Vacant	Urban Renewal Owned
Total	27.04			

The following is a summary of the existing conditions and what may be changing. The numbers in parentheses correspond to the applicant's existing conditions map.

- The current skate park (1) was constructed in 2000, and will be enlarged.
- The horseshoe pits (2) and (6) would be eliminated to make room for the expanded parking area.
- The current restrooms (3) will remain.
- The existing open space lawn (4) would be modified to accommodate the new boat launch and parking.
- The current playground (5) will be replaced by a pedestrian entry and plaza and larger play area.
- The picnic shelter (7) will remain in its original location.
- The interpretive kiosk (8) would be relocated.
- The RV picnic shelter (9) will be removed.
- The paved paths (10) will be removed and replaced with new pathways.
- The RV park (11) will be removed from the shoreline and relocated to a new location across Clackamette Drive
- The RV dump station (12) will be removed to make way for a new sport court.
- The existing boat launch (13) will be renovated to be a non-motorized boat launch.
- The existing boat trailer parking (14) will be modified to become part of a new slightly larger parking lot.
- The existing auto parking lot (15) will be removed and replaced with a new landscaped parking lot.

2. Project Description

Given its location and amenities, Clackamette Park has long been a well-loved park, central to the community and a draw to the wider region. Because of general usage and ever evolving usage trends, several key amenities of the park were in need of upgrades or replacement, including the boat ramp, RV park, restroom building and pedestrian trail system. Oregon City Parks conducted an extensive outreach campaign to solicit input on the future of the park. Specific improvements to Clackamette Park that are included in this master plan include reorienting the main park entry, upgrades to site pedestrian and vehicular circulation, parking, a new boat launch facility, upgrading the existing boat launch facility to serve human powered craft, a new play area and large flexible open lawn spaces. Improvements also include relocating the RV park out of the flood plain, upgrading the restroom facilities, expanding the existing skate park, sport courts, art installations and extensive habitat restoration that includes plantings of native trees, shrubs and ground cover.

Overall, the project will result in a significant increase in landscaping and a net decrease in the amount of paved areas within the park, which will benefit the habitat and water quality functions of the park.

4 - FINAL MASTER PLAN



Figure 4: Proposed Site Plan (Concept)

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):

Russ Watkins

Mr. Watkins submitted a letter on June 12 on behalf of the Oregon City Horseshoe Club requesting that the original horseshoe courts be retained in their current location.

Oregon City Natural Resources Committee

Oregon City Natural Resources Committee reviewed the General Development Plan at their regular meeting on June 14, 2023 and recommended the following:

- Add more native trees in the southwest area of the park to mitigate and protect against flooding, erosion, etc.
- Place greater emphasis on the preservation of mature native existing trees within the park to improve perching, hunting and nesting habitat for birds along the river.
- Improve habitat by minimizing the use of expansive lawn area, especially close to the river, and instead plant more large native trees and shrubs that would typically be found in a riparian corridor
- The park should have a dedicated transit stop, specifically for the new Oregon City Connector Shuttle service. Give due consideration to add additional transit options/stops to encourage visitors even during full parking lot situations.
- Adding more growing space for mature trees in the parking and RV areas to provide shade to visitors.

Public testimony at the public hearing on June 26, 2023 was also received from Russ Watkins, William Gifford, and Jerry Herrmann.

Agency comments were submitted from Clackamas Water Environment Services indicating that they would have no conflicts with the proposal if the following considerations are taken.

- “WES-owned sanitary sewer infrastructure, including the existing Tri-City outfall and the Bolton/River Street force mains, are located within Clackamette Park. No development shall encumber use or access to this infrastructure by WES. Please notify WES of any future site improvements plans, including potential utility conflicts, grade changes that require adjustments to manhole lids, etc. Correspondence can be sent to WES-Planning@clackamas.us.”

Also, Oregon City School District responded and indicated they have no conflicts with the proposal.

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:

CHAPTER 17.34 MUD MIXED USE DOWNTOWN DISTRICT

17.34.020 - Permitted uses.

Permitted uses in the MUD district are defined as:

- 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. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment;*
- L. Multifamily residential, 3-4 plex residential;*
- M. 1 or 2 units in conjunction with a nonresidential use provided that the residential use occupies no more than 50% of the total square footage of the development;*
- N. Restaurants, eating and drinking establishments without a drive through;*
- O. Services, including personal, professional, educational and financial services; laundry and dry-cleaning;*
- P. Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores provided the maximum footprint of a freestanding building with a single store does not exceed sixty thousand square feet (a freestanding building over sixty thousand square feet is allowed as long as the building contains multiple stores);*
- Q. Seasonal sales;*
- R. Residential care facilities, assisted living facilities; nursing homes and group homes for over fifteen patients licensed by the state;*
- S. Studios and galleries, including dance, art, photography, music and other arts;*
- T. 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;*
- U. Veterinary clinics or pet hospitals, pet day care;*
- V. Home occupations;*
- W. Research and development activities;*
- X. 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;*
- Y. Transportation facilities;*
- Z. Live/work dwellings;*
- AA. After-hours public parking;*
- BB. Marinas;*
- CC. Religious institutions.*
- DD. Mobile food units outside of the downtown design district.*

Finding: complies with conditions. The proposed master plan includes two tax lots that have historically been used for overflow parking from the park and which are zoned Mixed Use Downtown. The master plan contemplates the use of these parcels for additional parking for the park, as well as the new location for the city owned RV park to be relocated onto these parcels from its current location within Clackamette Park.

The additional overflow parking for the park is permitted under the current zoning by approval of the master plan boundaries to encompass parcels 2-2E-30 -00601 and 2-2E-30 -00500. However, the MUD zone district does not allow RV parks / overnight camping, and there is no zone district in the city that expressly permits RV parks / overnight camping. Furthermore, the master plan regulations do not allow a primary or accessory use that is not identified as a permitted, or conditional use in the underlying zone, except for the additional residential uses permitted under OCMC 17.65.070.C.6., and RV parks are not listed as an excepted use under that section and the primary use is not residential.

On a short term basis, pursuant to OCMC 12.16.040 - Camping prohibited, the city manager is authorized to adopt regulations under Section 12.16.020.B to allow camping in city parks during special events. Also, pursuant to OCMC 10.12.050 - Temporary park use, the city commission may issue a temporary permit authorizing members of a specific group, participants or attendees to a specific event to park and occupy recreational vehicles within the confines of a city park. Neither of these code sections allows for overnight camping in recreational vehicles on a year-round basis.

Therefore, to permit parcels 2-2E-30 -00601 and 2-2E-30 -00500 to be used for a city-owned RV park, the following zoning amendments will be necessary.

1. **Zoning Code text amendment.** Amend the zoning code to allow overnight camping in a recreational vehicle as a permitted use in the I - Institutional Zone District.
2. **Comprehensive Plan map amendment.** Amend the Comprehensive Plan map to change the current comprehensive plan designation of parcels 2-2E-30 -00601 and 2-2E-30 -00500 from Mixed Use Downtown to P – Public.
3. **Zoning Map amendment.** Amend the Zoning map to change the zoning of parcels 2-2E-30 -00601 and 2-2E-30 -00500 from Mixed Use Downtown to I – Institutional.

The three processes described above may be pursued concurrently, but require a separate Type IV process pursuant to OCMC 17.68 – *Zoning Changes and Amendments*, which should occur independently following approval of this master plan. As a condition of approval of this master plan and prior to the approval of a detailed development plan or any other site specific development plan for the city-owned RV park on parcels 2-2E-30 -00601 and 2-2E-30 -00500, the applicant shall seek approval of a comprehensive plan and zoning amendments identified above. If the zone changes for parcels 2-2E-30 -00601 and 2-2E-30 -00500 are not approved, the applicant shall apply to amend the master plan to remove parcels 2-2E-30 -00601 and 2-2E-30 -00500 from the proposal, propose an alternative location for the RV use, or an alternative use allowed in the Mixed Use Downtown zone.

The applicant can assure this standard is met by complying with the conditions of approval.

17.34.030 - Conditional uses.

The following uses are permitted in this district when authorized and in accordance with the process and standards contained in OCMC 17.56.

- A. *Drive-through facilities;*
- B. *Emergency services;*
- C. *Hospitals;*
- D. *Outdoor markets that do not meet the criteria of OCMC 17.34.020.I.;*
- E. *Parks, playgrounds, play fields and community or neighborhood centers;*
- F. *Parking structures and lots not in conjunction with a primary use on private property, excluding after-hours public parking;*
- G. *Retail trade, including grocery, hardware and gift shops, bakeries, delicatessens, florists, pharmacies and specialty stores in a freestanding building with a single store exceeding a foot print of sixty thousand square feet;*
- H. *Public facilities such as sewage and water treatment plants, water towers and recycling and resource recovery centers;*
- I. *Public utilities and services such as pump stations and sub-stations;*
- J. *Distributing, wholesaling and warehousing;*
- K. *Gas stations;*
- L. *Public and or private educational or training facilities;*
- M. *Stadiums and arenas;*
- N. *Passenger terminals (water, auto, bus, train), excluding bus stops;*
- O. *Recycling center and/or solid waste facility;*
- P. *Shelters, except within the Downtown Design District.*

Finding: not applicable. No conditional uses are proposed.

17.34.040 - Prohibited uses.

The following uses are prohibited in the MUD district:

- A. *Kennels;*
- B. *Outdoor storage and sales, not including outdoor markets allowed in OCMC 17.34.030;*
- C. *Self-service storage;*
- D. *Single-Family attached and detached residential units and duplexes;*
- E. *Motor vehicle and recreational vehicle repair/service;*
- F. *Motor vehicle and recreational vehicle sales and incidental service;*
- G. *Heavy equipment service, repair, sales, storage or rental² (including but not limited to construction equipment and machinery and farming equipment);*
- H. *Marijuana production, processing, wholesaling, research, testing, and laboratories;*
- I. *Mobile food units within the downtown design district unless a special event has been issued.*

Finding: Not applicable. No prohibited uses are proposed.

17.34.060 - Mixed-use downtown dimensional standards—For properties located outside of the downtown design district.

- A. *Minimum lot area: None.*

Finding: not applicable. No changes to lot size are proposed.

- B. *Minimum floor area ratio: 0.30.*

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

- C. *Minimum building height: Twenty-five feet or two stories except for accessory structures or buildings under one thousand square feet.*

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

D. Maximum building height: Seventy-five feet, except for the following location where the maximum building height shall be forty-five feet:

1. *Properties between Main Street and McLoughlin Boulevard and 11th and 16th streets;*
2. *Property within five hundred feet of the End of the Oregon Trail Center property; or*
3. *Property abutting single-family detached or attached units.*

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

E. Minimum required setbacks, if not abutting a residential zone: None.

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

F. Minimum required interior side yard and rear yard setback if abutting a residential zone: Fifteen feet, plus one additional foot in yard setback for every two feet in height over thirty-five feet.

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

G. Maximum Allowed Setbacks.

1. *Front yard: Twenty feet.*

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

2. *Interior side yard: No maximum.*

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

3. *Corner side yard abutting street: Twenty feet.*

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

4. *Rear yard: No maximum.*

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

5. *Rear yard abutting street: Twenty feet.*

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

H. Maximum site coverage including the building and parking lot: Ninety percent.

Finding: not applicable. No new structures are proposed; therefore, this standard does not apply.

I. Minimum landscape requirement (including parking lot): Ten percent.

Finding: complies with conditions. Compliance with landscaping standards will be determined when a site specific detailed development plan is submitted. The conceptual final master plan appears to indicate that a minimum of ten percent of the area of parcels 2-2E-30 -00601 and 2-2E-30 -00500 will be landscaped. 10% of 2.17 acres = 0.21 acres (9,443 square feet). **The applicant can assure this standard is met by complying with the conditions of approval.**

J. Residential minimum net density of 17.4 units per acre, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a vertical mixed-use configuration or to live/work dwellings.

Finding: not applicable. This is not a residential development.

CHAPTER 17.39 I INSTITUTIONAL DISTRICT

17.39.020 - Permitted uses.

Permitted uses in the institutional district are:

- A. *Private and/or public educational or training facilities;*
- B. *Parks, playgrounds, playfields and community or neighborhood community centers;*
- C. *Public facilities and services including courts, libraries and general government offices and maintenance facilities;*
- D. *Stadiums and arenas;*
- E. *Banquet, conference facilities and meeting rooms;*
- F. *Government offices;*
- G. *Transportation facilities;*
- H. *Mobile food units.*

Finding: complies as proposed. The site is currently used as a park and will continue to be used as a park. This use is permitted outright in the institutional district.

17.39.030 - Accessory uses.

The following uses are permitted outright if they are accessory to and related to the primary institutional use:

- A. *Offices;*
- B. *Retail (not to exceed twenty percent of total gross floor area of all building);*
- C. *Child care centers or nursery schools;*
- D. *Scientific, educational, or medical research facilities and laboratories;*
- E. *Religious institutions.*

Finding: not applicable. None of the above uses are being proposed in the park master plan, therefore this question does not apply.

17.39.040 - Conditional uses.

Uses requiring conditional use permit are:

- A. *Any uses listed under OCMC 17.39.030 that are not accessory to the primary institutional use;*
- B. *Boarding and lodging houses, bed and breakfast inns;*
- C. *Cemeteries, crematories, mausoleums, and columbariums;*
- D. *Correctional facilities;*
- E. *Helipad in conjunction with a permitted use;*
- F. *Parking lots not in conjunction with a primary use;*
- G. *Public utilities, including sub-stations (such as buildings, plants and other structures);*
- H. *Fire stations;*
- I. *Police Station.*

Finding: not applicable. None of the above uses are being proposed in the park master plan, therefore this question does not apply.

17.39.045 - Prohibited uses.

Prohibited uses in the I district are:

- A. *Any use not expressly listed in OCMC 17.39.020, 17.39.030 or 17.39.040;*
- B. *Marijuana businesses;*

Finding: not applicable. Park use is expressly listed as a permitted use in 17.39.020.

17.39.050 - Dimensional standards.

Dimensional standards in the I district are:

- A. *Maximum building height: Within one hundred feet of any district boundary, not to exceed thirty-five feet; elsewhere, not to exceed seventy feet.*

Finding: complies as proposed. The restroom facility and the picnic shelters are the only structures proposed for the park and neither will exceed thirty-five feet in height. Compliance will be confirmed at the time a detailed development plan is submitted.

- B. *Minimum required setbacks: Twenty-five feet from property line except when the development is adjacent to a public right-of-way. When adjacent to a public right-of-way, the minimum setback is zero feet and the maximum setback is five feet.*

Finding: complies as proposed. All buildings on the park will be set back a minimum of 15 feet from the property line and maximum of 5 feet from the public right-of-way. Compliance will be confirmed at the time a detailed development plan is submitted.

- C. *Minimum required landscaping (including landscaping within a parking lot): Fifteen percent.*

Finding: complies as proposed. The park development will consist of significant planting areas and lawn. More than 50% of the site will be landscaped, including landscaping within the parking lot.

17.39.060 - Relationship to master plan.

- A. *A master plan is required for any development within the I District on a site over ten acres in size that:*

- 1. Is for a new development on a vacant property;*
- 2. Is for the redevelopment of a property previously used as a non-institutional use; or*
- 3. Increases the floor area of the existing development by ten thousand square feet over existing conditions*

Finding: complies as proposed. The applicant has submitted a master plan application for the redevelopment of a I-zoned property over ten acres in size. A master plan is required under section 17.65.030.

- B. *Master plan dimensional standards that are less restrictive than those of the Institutional District require adjustments. Adjustments will address the criteria of OCMC 17.65.70 and will be processed concurrently with the master plan application.*

Finding: complies as proposed. The applicant indicates that no dimensional standard adjustments are being pursued at this time and that any adjustments may be pursued when the Detailed Development Plan is submitted. Staff does not anticipate that the application will require any adjustments to the dimensional standards of the I-Institutional Zone due to the type of park uses proposed. Per code 17.65.070 - *Adjustments to development standards*, an adjustment request at the detailed development plan review shall cause the detailed development plan to be reviewed as a Type III application.

- C. *Modifications to other development standards in the code may be made as part of the phased master plan adjustment process. All modifications shall be in accordance with the requirements of the master plan adjustment process identified in OCMC 17.65.070.*

Finding: not applicable. Modifications are not being requested as a part of this master plan.

CHAPTER 17.41 TREE PROTECTION, PRESERVATION, REMOVAL AND REPLANTING STANDARDS

17.41.020 - Tree protection—Applicability.

1. *Applications for development subject to OCMC 16.08 (Land Divisions) or OCMC 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments. Compliance with this chapter is required from the date a land use application is filed until a land division is recorded or other development approval is final.*
2. *For public capital improvement projects, the City Engineer shall demonstrate compliance with these standards pursuant to a Type I process.*
3. *Tree canopy removal greater than twenty-five percent on areas with greater than twenty-five percent slope, unless exempted under OCMC 17.41.040, shall be subject to these standards.*
4. *A heritage tree or grove which has been designated pursuant to the procedures of OCMC 12.32 shall be subject to the standards of this section.*
5. *A tree that has been planted pursuant to this section shall remain or shall be replaced with a new tree if removed.*

Finding: complies as proposed. A full site tree protection plan will be included with the detailed development plan as outlined in 17.65.050. There are no heritage trees or groves on the subject site.

17.41.030 - Tree protection—Conflicting code provisions.

Except as otherwise specified in this section, where these standards conflict with adopted city development codes or policies, the provision which provides the greater protection for regulated trees or groves, as defined in OCMC 17.04, shall govern.

Finding: complies as proposed. The development will pursue the provision that provides the greater protection for regulated trees or groves, as defined in OCMC 17.04.

17.41.040 - Exemptions.

These regulations are not intended to regulate normal cutting, pruning and maintenance of trees on private property except where trees are located on lots that are undergoing development review or are otherwise protected within the Natural Resource Overlay District (NROD) of OCMC 17.49. These standards are not intended to regulate farm and forest practices as those practices are defined under ORS 30.930, for farm or forestlands. These regulations do not apply to the removal of trees that are considered invasive species. An applicant for development may claim exemption from compliance with these standards if the development site containing the regulated grove or trees was a designated farm or forest use, tree farm, Christmas tree plantation, or other approved timber use within one year prior to development application. "Forest practices" and "forestlands" as used in this subsection shall have the meaning as set out in ORS 30.930. The Community Development Director has the authority to modify or waive compliance in this case.

Finding: complies as proposed. The applicant acknowledges the exemptions outlined in 17.41.040.

17.41.050 - Compliance options.

Applicants for review shall comply with these requirements through one or a combination of the following procedures:

- A. *Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to OCMC 17.41.060.*
- B. *Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to OCMC 17.41.080; or*
- C. *Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to OCMC 17.41.110; or*

D. *Option 4—Cash-in-lieu of planting pursuant to OCMC 17.41.120.*

Finding: complies as proposed. The development will pursue option 1 – mitigation which includes the retention and removal of trees as outlined in OCMC 17.41.060 at the time of Detailed Development Plan submittal.

17.41.060 - *Tree removal and replanting—Mitigation (Option 1).*

A. *Applicants for development who select this option shall ensure that all healthy trees shall be preserved outside the construction area as defined in OCMC 17.04 to the extent practicable. Preserved trees are subject to Option 3 of this Chapter. Compliance with these standards shall be demonstrated in a tree mitigation plan report prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arboriculture. Tree inventories for the purposes of mitigation calculations may be prepared by a licensed surveyor. At the applicant's expense, the City may require the report to be reviewed by a consulting arborist. The number of replacement trees required on a development site shall be calculated separately from, and in addition to, any public or street trees in the public right-of-way required under OCMC 12.08— Public and Street Trees, any required tree planting in parking lots, and any trees planted in pedestrian and bicycle accessways.*

Finding: complies as proposed. All healthy trees outside the construction area will be preserved to the extent practicable. A tree mitigation plan will be prepared by a qualified professional at the time of Detailed Development Plan submittal.

B. *The applicant shall determine the number of trees to be mitigated on the site by counting all of the trees six-inch DBH (minimum four and one-half feet from the ground) or larger on the entire site and either:*

1. *Trees that are removed outside of the construction area shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2; or*

2. *Dying, diseased or hazardous trees, when the condition is verified by a certified arborist to be consistent with the definitions in OCMC 17.04, may be removed from the tree replacement calculation. Dead trees may also be removed from the calculation, with the condition of the tree verified either by the Community Development Director or by a certified arborist at the applicant's expense, when the Community Development Director cannot make a determination. To the extent that the Community Development Director determines that the dead, dying, hazardous or diseased condition of the tree is the result of intentional action, the removal of that tree shall require mitigation pursuant to Column 2 of Table 17.41.060-1.*

Finding: complies as proposed. Specific trees to be removed will be determined as a part of the detailed development plan. All trees requiring mitigation will be mitigated onsite as a part of the park development.

Table 17.41.060-1
Tree Replacement Requirements

Size of tree removed (DBH)	Column 1 Number of trees to be planted. (If removed Outside of construction area)	Column 2 Number of trees to be planted. (If removed Within the construction area)
6 to 12"	3	1
13 to 18"	6	2
19 to 24"	9	3
25 to 30"	12	4

31 and over"	15	5
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Steps for calculating the number of replacement trees:

1. Count all trees measuring six inches DBH (minimum four and one-half feet from the ground) or larger on the entire development site.
2. Designate the size (DBH) of all trees pursuant to accepted industry standards.
3. Document in a certified arborist report any trees that are currently dead, dying, diseased or hazardous.
4. Subtract the number of dead, dying, diseased or hazardous trees in step 3 from the total number of trees on the development site in step 1. The remaining number is the number of healthy trees on the site. Use this number to determine the number of replacement trees in steps 5 through 8.
5. Identify the construction area (as defined in OCMC 17.04.230).
6. Determine the number and diameter of trees to be removed within the construction area. Based on the size of each tree, use Column 2 to determine the number of replacement trees required.
7. Determine the number and diameter of trees to be removed outside of the construction area. Based on the size of each tree, use Column 1 to determine the number of replacement trees required.
8. Determine the total number of replacement trees from steps 6 and 7.

Finding: complies as proposed. Specific trees to be removed will be determined as a part of the detailed development plan. All trees requiring mitigation will be mitigated onsite as a part of the park development.

C. Planting area priority for mitigation.

Development applications which opt for removal of trees with subsequent replanting pursuant to OCMC 17.41.050.A. shall be required to mitigate for tree cutting by complying with the following priority for replanting standards below:

1. First Priority. Replanting on the development site.
2. Second Priority. Off-site replacement tree planting locations. If the Community Development Director determines that it is not practicable to plant the total number of replacement trees on-site, a suitable off-site planting location for the remainder of the trees may be approved that will reasonably satisfy the objectives of this section. Such locations may include either publicly owned or private land and shall be approved by the Community Development Director.

Finding: complies as proposed. The tree mitigation plan will be completed as a part of the detailed development plan.

D. Replacement tree planting standards.

1. All replacement trees shall be either two-inch caliper deciduous or six-foot high conifer.

Finding: complies as proposed. All replacement trees will be planted onsite and will be either two-inch caliper deciduous or six-foot high conifer.

2. Replacement tree species shall be approved by a landscape architect or certified arborist or shall be found on the City's Native Plant or Street Tree lists.

Finding: complies as proposed. All replacement tree species shall be approved by a landscape architect.

3. Due to their diminishing range in the region, Oregon white oak (*Quercus garryana*) trees, if removed, shall be replaced by the same species.

Finding: complies as proposed. It is not expected that any Oregon white oak will be removed from the park by this development. If any Oregon white oak are removed, they will be replaced by the same species.

- E. All existing tree(s) in the tract shall be protected by a permanent restrictive covenant or easement approved in form by the City.

Finding: complies as proposed. The applicant confirms that all existing trees in the tract shall be protected by a permanent restrictive covenant or easement as approved by the City.

F. Alternative mitigation plan.

The Community Development Director may, subject to a Type II procedure, approve an alternative mitigation plan that adequately protects habitat pursuant to the standards for the Natural Resource Overlay District alternative mitigation plan in OCMC 17.49.190.

Finding: complies as proposed. The applicant acknowledges an alternate mitigation plan that adequately protects habitat may be approved by the Community Development Director at the time a detailed development plan is proposed.

17.41.080 - Tree preservation within subdivisions and partitions—Dedicated tract (Option 2).

Finding: not applicable. This development does not include a new subdivision, land division, density transfers or modifications to dimensional standards, therefore this criterion does not apply to the development.

17.41.110 - Tree protection by restrictive covenant (Option 3).

Any regulated tree or grove which cannot be protected in a tract pursuant to Section 17.41.080 above shall be protected with a restrictive covenant in a format to be approved by the Community Development Director. Such covenant shall be recorded against the property deed and shall contain provisions to permanently protect the regulated tree or grove unless such tree or grove, as determined by a certified arborist and approved by the Community Development Director, are determined to be diseased or hazardous.

Finding: not applicable. The development site does not contain any regulated trees or groves; therefore this standard does not apply to the development.

A. Permitted adjustments.

1. The Community Development Director, pursuant to a Type II procedure, may grant an adjustment to the side, front and rear yard setback standards by up to fifty percent if necessary to retain a Regulated Tree or Grove through a restrictive covenant pursuant to this section. In no case may the side yard setback be reduced to less than three feet. The adjustment shall be the minimum necessary to accomplish preservation of trees on the lot and shall not conflict with other conditions imposed on the property.

2. The City Engineer may grant an adjustment to street standards, pursuant to adopted public works standards, in order to preserve a tree. This may include flexibility to redesign sidewalk and planter strip sizes and locations and allow placement of sidewalks and planter strips in an easement within private lots.

3. The Community Development Director, pursuant to a Type II procedure, may allow other adjustments in order to preserve any healthy tree that cannot be moved due to its size, but will contribute to the landscape character of the area and will not present a foreseeable hazard if retained.

Finding: complies as proposed. The applicant does not expect to pursue any of the three above permitted adjustments; therefore these standards are not applicable to this application. Adjustments may be pursued at the time a Detailed Development Plan is submitted.

17.41.120 - Cash-in-lieu of planting (Option 4).

The applicant may choose this option in-lieu-of or in addition to Compliance Options 1 through 3. In this case, the Community Development Director may approve the payment of cash-in-lieu into a dedicated fund for the remainder of trees that cannot be replanted in the manner described above.

The cash-in-lieu payment per required mitigation tree shall be as listed on the adopted fee schedule and shall be adjusted annually based on the Consumer Price Index. The price shall include 150% of the cost of materials, transportation and planting.

Finding: not applicable. The applicant is not planning to pursue an in-lieu-of option, therefore these standards do not apply to the development.

17.41.130 - Regulated tree protection procedures during construction.

- A. *No permit for any grading or construction of public or private improvements may be released prior to verification by the Community Development Director that regulated trees designated for protection or conservation have been protected according to the following standards. No trees designated for removal shall be removed without prior written approval from the Community Development Director.*
- B. *Tree protection shall be as recommended by a qualified arborist or, as a minimum, to include the following protective measures:*
 - 1. *Except as otherwise determined by the Community Development Director, all required tree protection measures set forth in this section shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and such measures shall be removed only after completion of all construction activity, including necessary landscaping and irrigation installation, and any required plat, tract, conservation easement or restrictive covenant has been recorded.*
 - 2. *Approved construction fencing, a minimum of four feet tall with steel posts placed no farther than ten feet apart, shall be installed at the edge of the tree protection zone or dripline, whichever is greater. An alternative may be used with the approval of the Community Development Director.*
 - 3. *Approved signs shall be attached to the fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the Community Development Director.*
 - 4. *No construction activity shall occur within the tree protection zone, including, but not limited to; dumping or storage of materials such as building supplies, soil, waste items; nor passage or parking of vehicles or equipment.*
 - 5. *The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run-off.*
 - 6. *No excavation, trenching, grading, root pruning or other activity shall occur within the tree protection zone unless directed by an arborist present on site and approved by the Community Development Director.*
 - 7. *No machinery repair or cleaning shall be performed within ten feet of the dripline of any trees identified for protection.*
 - 8. *Digging a trench for placement of public or private utilities or other structure within the critical root zone of a tree to be protected is prohibited. Boring under or through the tree protection zone may be permitted if approved by the Community Development Director and pursuant to the approved written recommendations and on-site guidance and supervision of a certified arborist.*
 - 9. *The Community Development Director may require that a certified arborist be present during any construction or grading activities that may affect the dripline of trees to be protected.*
 - 10. *The Community Development Director may impose conditions to avoid disturbance to tree roots from grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist.*
- C. *Changes in soil hydrology due to soil compaction and site drainage within tree protection areas shall be avoided. Drainage and grading plans shall include provision to ensure that drainage of the site does not*

conflict with the standards of this section. Excessive site run-off shall be directed to appropriate storm drainage facilities and away from trees designated for conservation or protection.

Finding: not applicable. The applicant has not proposed any construction at this time, this is a General Development Plan. Following approval of a subsequent Detailed Development Plan the development will implement all of the required tree protection measures as outlined above and as specified in 17.141.30.

CHAPTER 17.42 FLOOD MANAGEMENT OVERLAY DISTRICT

17.42.020 - Applicability.

A. This chapter shall apply to development in the flood management overlay district, which may also be referred to as the "floodplain overlay district" in this code. The flood management overlay district includes all areas of special flood hazards and all flood management areas within the city. The overlay district restricts the uses that are allowed in the base zone by right, with limitations, or as provisional uses.

B. The flood management areas which have been mapped include the following locations:

- 1. Land contained within the one hundred-year floodplain, flood area and floodway as shown on the Federal Emergency Management Agency flood insurance maps dated June 17, 2008, including areas of special flood hazard pursuant to [Section 17.42.040](#) and the area of inundation for the February 1996 flood; and*
- 2. Lands that have physical or documented evidence of flooding within recorded history based on aerial photographs of the 1996 flooding and/or the water quality and flood management areas maps.*

C. The standards that apply to the flood management areas apply in addition to state or federal restrictions governing floodplains or flood management areas.

Finding: applicable. The park project site is located in the Flood Management Overlay District and will follow all of the outlined requirements at the time of Detailed Development Plan review. **This standard is met through compliance with the conditions of approval attached to this decision.**

17.42.040 - Compliance.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of these floodplain regulations and other applicable regulations. Violations of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a civil infraction. Any person who violates this chapter or fails to comply with any of its requirements shall be subject to the enforcement procedures of this code per OCMC [1.20](#) Civil Infractions and [1.24](#) Code Enforcement. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy.

Finding: complies as conditioned. Future DDPs will likely involve construction within the floodplain (E.G. boat ramp, parking, playground etc.). These activities will likely involve cut and fill which will need to comply with this code chapter. All structures included in the park development will be reviewed for full compliance with the floodplain management overlay district regulations and other applicable regulations at the time of Detailed Development Plan review. **The applicant can assure this standard is met through compliance with the conditions of approval attached to this decision.**

17.42.060 - Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flooding damages. This chapter shall not create liability on the part of the city, any officer or employee thereof, or the

Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

Finding: complies as proposed. The applicant acknowledges the natural risk of flooding at the park site.

17.42.080 - Administration.

This chapter establishes a flood management overlay district, which is delineated on the water quality and flood management areas map attached and incorporated by reference as a part of this document.

A. The following maps and studies are adopted and declared to be a part of this chapter. These maps are on file in the office of the city recorder:

- 1. The Water Quality and Flood Management Areas Map, dated June 7, 1999;*
- 2. The Federal Insurance Administration, Flood Insurance Rate Maps for Clackamas County, Oregon and Incorporated Areas dated June 17, 2008;*

Finding: Complies as conditioned. All structures included in the park development will be reviewed for full compliance with the floodplain management overlay district regulations and other applicable regulations at the time of Detailed Development Plan review. **The applicant can assure this standard is met through compliance with the conditions of approval attached to this decision.**

For brevity, the remaining sections of Chapter 17.42 have been omitted since they are not applicable at this time and will be reviewed with the subsequent Detailed Development Plan application. The code criteria may be reviewed at

https://library.municode.com/or/oregon_city/codes/municipal_code?nodeId=TIT17ZO_CH17.42FLMAOVDI

CHAPTER 17.44 – GEOLOGIC HAZARDS

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

No person shall engage in any of the following regulated activities within the adopted Oregon City Geologic Hazards Overlay Zone as defined in section 17.04.515 of the Oregon City Municipal Code without first obtaining permits or approvals as required by this chapter:

- A. Installation or construction of an accessory structure greater than 500 square feet in area;*
- B. Development of land, construction, reconstruction, structural alteration, relocation or enlargement of any building or structure for which permission is required pursuant to the Oregon City Municipal Code;*
- C. Tree removal on slopes greater than 25 percent where canopy area removal exceeds 25 percent of the lot.*
- D. Excavation which exceeds two feet in depth, or which involves twenty-five or more cubic yards of volume;*

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: Complies as conditioned. The proposed development is located within a geologic hazard overlay district based on steep slopes and their buffer zones. Mapping indicates that the site contains slopes steeper than 25%, which appear to be associated with the riverbank and various road embankments within and adjacent to the property boundaries. About 15% of the site is within this area of steep slopes or its buffer zone. The provisions for Chapter 17.44 - Geologic Hazards apply where development will occur within or may affect areas within the geologic hazard overlay and a Geological Assessment and Geotechnical Report is required. Based on the submitted documents, it appears that locations 4, 10 and 12 may meet these conditions. The application is for approval of the GDP and does not request approval for any actual construction activities. If construction is

proposed within the geologic hazard overlay district with the DDPs associated with this master plan, those DDPs shall address the requirements of chapter 17.44. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

For brevity, the remaining sections of Chapter 17.44 have been omitted since they will be reviewed with the subsequent Detailed Development Plan review. The code criteria may be reviewed at https://library.municode.com/or/oregon_city/codes/municipal_code?nodeId=TIT17ZO_CH17.44GEHA_17.44.05ODEPPREREPRAP

CHAPTER 17.47 – EROSION AND SEDIMENT CONTROL

17.47.030 - Applicability.

A. This chapter, which may also be referred to as "erosion control" in this Code, applies to development that may cause visible or measurable erosion on any property within the city limits of Oregon City.

B. This chapter does 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, provided that after the emergency has passed, adverse impacts are mitigated in accordance with applicable standards.

Finding: Not applicable. The application is for approval of the General Development Plan (GDP) and does not request approval for any actual construction activities. Therefore, a detailed erosion control plan or permit is not required. The applicant will be required to provide an erosion control plan per requirements of the OCMC with subsequent DDP applications.

CHAPTER 17.48 WRG WILLAMETTE RIVER GREENWAY OVERLAY DISTRICT

17.48.040 - Uses allowed.

All uses permitted pursuant to the provisions of the underlying zoning district are permitted on lands designated WRG; provided, however, that any development, change of use or intensification of use shall be subject, in addition to the provisions of the underlying district, to the provisions of this chapter.

Finding: complies as proposed. The proposed park development does not change the overall use or intensification of use.

17.48.050 - Permit required—Exceptions.

A Willamette River Greenway permit shall be required for all developments and changes or intensification of uses, except the following:

- A. The propagation of timber or the cutting of timber for public safety or personal use, except the cutting of timber along the natural vegetative fringe along the river;*
- B. Gravel removal from the bed of the Willamette River when conducted under a permit from the state;*
- C. Customary dredging and channel maintenance;*
- D. Placing by a public agency of signs, markers, aids and similar structures to serve the public;*
- E. Activities to protect, conserve, enhance and maintain public recreation, scenic, historical and natural uses on public lands;*
- F. Acquisition and maintenance of scenic easements by the Oregon Department of Transportation;*
- G. Partial harvesting of timber shall be permitted beyond the natural vegetative fringe and those areas not covered by a scenic easement and when the harvest is consistent with an approved plan under the Oregon*

Forest Practices Act. Commercial forest activities and harvesting practices providing for vegetative buffers, shading, soil stabilization, and water filtering effects required under the Oregon Forest Practices Act;

- H. The use of a small cluster of logs for erosion control;*
- I. The expansion of capacity or the replacement of existing communication or energy distribution and transmission systems, except utility sub-stations;*
- J. The maintenance and repair of existing flood control facilities;*
- K. Any activity subject to Type I review pursuant to OCMC 17.62.035.A.2, provided that proposed changes are located entirely outside of the compatibility boundary and on existing developed commercial, multifamily, or industrial properties.*
- L. Within the compatibility boundary, exterior building changes that are not considered remodeling.*
- M. Changes to landscaping or parking subject to Type I review pursuant to OCMC 17.62.035.A.2 that are more than 100 feet from the Oregon Department of State Lands' mapped ordinary low water line of the Willamette River, provided that changes are located on existing developed commercial, multifamily, or industrial properties.*
- N. On existing single or two-family residential properties, landscaping, construction of driveways, modification of existing structures or construction or placement of such subsidiary structures or facilities adjacent to the residence.*
- O. The addition of a wall sign, projecting sign, or roof sign on any building in the WRG overlay.*

Finding: complies as proposed. The applicant acknowledges the exemptions to the WRG as outlined above. The proposed parks master plan qualifies as an exception under "E. Activities to protect, conserve, enhance and maintain public recreation, scenic, historical and natural uses on public lands." Additional exceptions may apply and will be reviewed at the time of Detailed Development Plan review. Aspects of the project may qualify for Type I Minor Site Plan and Design Review when site specific development is proposed.

17.48.060 - Procedures.

A. Except as specifically provided for in Section 17.48.100, the procedure for action on a Willamette River Greenway permit shall be as provided for under the Type II review provisions in OCMC 17.50.

Finding: complies as proposed. The applicant acknowledges the above statement regarding OCMC 17.50.

17.48.070 - Development standards—Specific use.

In approving any development or change or intensification of use, the approving officer or body shall apply the following standards:

Considerations for Specific Uses.

- A. With respect to recreational uses only: the considerations set forth in section C.3.b of Goal 15. Statewide Goal 15, Section C.3.b.:*
 - b. Recreation -- (1) Local, regional and state recreational needs shall be provided for consistent with the carrying capacity of the land; (2) Zoning provisions shall allow recreational uses on lands to the extent that such use would not substantially interfere with the long-term capacity of the land for farm use as defined in ORS 215.203; (3) The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent practicable; (4) The public parks established by section 8a of Chapter 558, 1973 Oregon Laws, shall be set forth in Oregon Laws, shall be set forth on the appropriate comprehensive plans and zoning established which will permit their development, use and maintenance;*

Finding: complies as proposed. This section is principally concerned with how recreational uses and needs might conflict with adjacent agricultural uses within the Greenway. Since no adjacent agricultural uses are present, no conflicts exist. Clackamette Park is a designated city charter park identified in the adopted Oregon City Comprehensive Plan. The applicable considerations for recreational use are met.

- B. *With respect to those fish and wildlife habitats identified in the city comprehensive plan only: the considerations set forth in section C.3.d. of Goal 15.*

Statewide Goal 15, Section C.3.d.:

- d. *Fish and wildlife habitat -- Significant fish and wildlife habitats shall be protected;*

Finding: complies as proposed. Fish and wildlife habitat protection is provided through the regulations in this Chapter and through the City's adopted Natural Resources Overlay District chapter 17.49 which apply when a development is proposed within the overlay district, and through state regulations administered by the Oregon Department of State Lands and Oregon Department of Fish and Wildlife. The applicable considerations for protection of fish and wildlife habitat are met.

- C. *With respect to those scenic qualities and views identified in the city comprehensive plan only: the considerations set forth in section C.3.e. of Goal 15.*

Statewide Goal 15, Section C.3.e:

- e. *Scenic qualities and views -- identified scenic qualities and viewpoints shall be preserved;*

Finding: complies as proposed. The city comprehensive plan (2022) includes the following statements, goals, policies and strategies pertaining to the Willamette and Clackamas Rivers. See also findings for compliance with the Comprehensive Plan under the General Development Plan approval criteria of OCMC 17.65 later in this report.

(P. 54) The Willamette and Clackamas rivers, major waterways of regional significance, border two sides of the city and create an aesthetic and recreational setting of great value to the city. Together, these rivers and streams contribute to the uniqueness of Oregon City and to the variety of natural resource, recreational, and open space values enjoyed by residents and visitors.

With Oregon City situated along the banks of the Willamette River, the City is also subject to statewide rules governing the waterway. In 1973, the Oregon State Legislature designated the Willamette River Greenway (WRG) to protect approximately 300 miles of greenway along the Willamette River from Eugene to the confluence with the Columbia River. The intent was to protect the corridor's natural, scenic and recreational qualities and to preserve its historical sites, structures, facilities, and objects for education and enjoyment. Oregon City complies with statewide rules through specific standards and regulation for development within the WRG that are established in the Willamette River Greenway Overlay District, Chapter 17.48 of the Oregon City Zoning Code.

GOAL 4

Ensure the environmental and economic health of the Willamette River Greenway (WRG) as a key feature of Oregon City and the broader region

POLICY 4.1 Protect the significant fish and wildlife habitat of the Willamette River by maximizing the preservation of trees and vegetative cover.

POLICY 4.2 Preserve major scenic views, drives and sites of the WRG.

POLICY 4.3 Encourage access to and along the river consistent with the Oregon City Park and Recreation Master Plan.

POLICY 4.5 Protect and maintain parks and recreation areas and facilities along the Willamette River to minimize effects in the WRG, in accordance with the Oregon City Park and Recreation Master Plan.

As an open space, Clackamette Park is managed consistent with the applicable provisions of the Comprehensive Plan. The applicable considerations for preservation of the Greenways scenic qualities and viewpoints are met.

D. With respect to timber resources only: the considerations set forth in section C.3.h. of Goal 15.

E. With respect to aggregate extraction only: the considerations set forth in section C.3.i. of Goal 15.

Finding: not applicable. No timber resource or aggregate extraction is proposed, therefore subsections D and E do not apply.

17.48.080 - Development standards—General considerations.

The following considerations shall be applicable to all Willamette River Greenway permits.

A. Access. Adequate public access to the Willamette River shall be considered and provided for.

Finding: complies as proposed. The park plan provides increased and adequate access to the Willamette River including improved accessible pathways, a repaired nonmotorized boat launch and a new boat launch.

B. Protection and Safety. Maintenance of public safety and protection of public and private property, especially from vandalism and trespass, shall be provided for to the maximum extent practicable.

Finding: complies as proposed. The park design will maintain public safety and protect public and private property to the maximum extent possible.

C. Vegetative Fringe. The natural vegetative fringe along the Willamette River shall be protected and enhanced to the maximum extent practicable.

Finding: complies as proposed. Extensive habitat restoration along the Willamette River will take place as a part of this park development including the planting of native trees, shrubs, groundcover and grasses. Habitat restoration is a permitted - excepted use within the Natural Resources Overlay District.

D. Directing Development Away from the River. Development shall be directed away from the Willamette River to the greatest possible degree, provided that lands committed to urban uses within the Greenway may continue as urban uses, subject to the nonconforming use provisions of Chapter 17.58 of this title.

Finding: complies as proposed. No urban uses are proposed as a part of this park development, therefore this section does not apply. Recreational uses are differentiated from urban uses and permitted under the WRG.

E. A Greenway Setback. In each application, the approving officer or body shall establish a setback to keep structures separated from the Willamette River in order to protect, maintain, preserve and enhance the natural scenic, historic and recreational qualities of the Willamette River Greenway, as set forth in the city comprehensive plan; provided, however, that the requirement to establish such setbacks shall not apply to water-related or water-dependent uses. No greenway setback standards shall apply for areas outside of the 150-foot Compatibility boundary.

Finding: complies as proposed. The applicant acknowledges that a setback will be established for the project. At this time, consideration of additional setbacks for any structures is not anticipated, but may be reviewed at the time of detailed development plan review.

F. *Other Applicable Standards. The Oregon Department of Transportation Greenway Plan, the Greenway portions of the city comprehensive plan, the Willamette River Greenway statutes and the provisions of Statewide Planning Goal 15, shall also be considered in actions involving Willamette River Greenway permits.*

Finding: complies as proposed. The applicant acknowledges the consideration of other planning documents and their influence on the development of this park.

17.48.100 - Compatibility review.

A. *In all areas within one hundred fifty feet of the Oregon Department of State Lands' mapped ordinary low-water line of the Willamette River, hereinafter referred to as the "compatibility boundary," the provisions of this subsection shall be applicable to all developments and changes or intensification of uses, so as to ensure their compatibility with Oregon's Greenway statutes, and to assure that the best possible appearance, landscaping and public access be provided.*

Finding: complies as proposed. The applicant acknowledges the compatibility review that will be completed for this project.

B. *All development or changes or intensifications of uses in the compatibility area shall be approved only if the following findings are made by the Planning Commission through a Type III review process pursuant to OCMC 17.50.*

1. *That to the greatest extent possible, the development or change or intensification of use provides for the maximum possible landscaped area, open space or vegetation between the activity and the river.*

Finding: complies as proposed. In the site master plan, to the maximum extent possible, landscaped areas, open space and vegetation have been incorporated between active areas such as the play area, skate park and parking lot and the river.

2. *That to the greatest degree possible, necessary public access is provided to and along the Willamette River by appropriate legal means.*

Finding: complies as proposed. The park plan provides necessary access to the Willamette River including improved accessible pathways, a repaired nonmotorized boat launch and a new boat launch.

17.48.110 - Prohibited activities.

The following are prohibited within the Willamette River Greenway:

A. *Structural bank protection, except rip rap or a channelization used as an emergency measure only to protect existing structures. Any such rip rap or channelization to stabilize undeveloped sites shall be prohibited as well;*

B. *Subsurface sewage disposal drainfields within one hundred feet of the ordinary mean low-water line of the Willamette River.*

Finding: not applicable. The applicant is not proposing any prohibited activities within the Willamette River Greenway, therefore this section does not apply.

17.48.120 - Additional procedural requirements.

In addition to the requirements of Chapter 17.50, the following procedural requirements shall be applicable to all matters arising out of Sections 17.48.070 through 17.48.100:

A. *Applications submitted for review under Sections 17.48.070 through 17.48.100 shall be accompanied by such materials as are reasonably necessary for adequate review, including, as necessary:*

1. *A site and landscaping plan showing existing vegetation and development and location of proposed development for activities;*
2. *Elevations of any proposed structures;*

3. *Materials list for any proposed structures, including type and colors of siding and roofing; and*
4. *Cross-sections of any area within the vegetative fringe where grading, filling, timber harvesting or excavating will occur.*

Finding: complies as proposed. A site and landscaping plan, elevations of proposed structures, materials and cross sections will be included with the Detailed Development Plan.

- B.
 1. *Written notice, including a copy of the application, shall be sent immediately upon receipt to the Oregon Department of Transportation by certified mail, return receipt requested. The Oregon Department of Transportation shall have seven working days from the date of mailing to respond before a decision be rendered.*
 2. *Written notice shall be given to the Oregon Department of Transportation by certified mail, return receipt requested, within seven days of the entry of a final order on the disposition of all applications made under Sections 17.48.070 through 17.48.100.*

Finding: complies as proposed. Written notice shall be sent to the Oregon Department of Transportation as outlined above. Notice of this General Development Plan application was provided to ODOT, who has not provided comments as of the date of this staff report. Any comments received from ODOT prior to the closure of the public record by the Planning Commission shall be made part of the record for this decision.

CHAPTER 17.49 NATURAL RESOURCES OVERLAY DISTRICT

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: not applicable. The entire subject property is already within the NROD boundary, therefore this section does not apply.

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: complies as proposed. The applicant acknowledges that an NROD permit will be required for this park project development. This documentation will be included with the Detailed Development Plan.

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: complies as proposed. The applicant acknowledges the above provisions regarding emergency work within the NROD boundary.

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: complies as proposed. The applicant acknowledges that they will be required to adhere to the more restrictive provisions regarding any development within the NROD area.

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: complies as proposed. The applicant will be simultaneously pursuing permits from Federal agencies for in-water work and other improvements in the corridors of the Clackamas and Willamette Rivers.

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: complies as proposed. The applicant acknowledges their obligation to satisfy all applicable state and federal wetland requirements.

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. No prohibited uses are being proposed within the NROD boundary of this project.

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.*
- 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).*

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: complies with conditions. The applicant acknowledges the above list of uses allowed outright, as outlined above. When a Detailed Development Plan is proposed, the applicant shall provide a summary and description of the uses allowed outright and the approximate area of the project site devoted to such uses. **The applicant can assure that this standard is met by complying with the recommended conditions of approval.**

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: complies as conditioned. The applicant acknowledges the list of uses allowed under prescribed conditions as outlined above. Park improvements include alterations to existing structure, trails and pedestrian paths, new roadways, utility lines and stormwater infrastructure. These will be further detailed in the Detailed Development Plans. When a Detailed Development Plan is proposed, the applicant shall provide a summary and description of the uses allowed under prescribed conditions and the approximate area of the project site devoted to such uses. **The applicant can assure that this standard is met by complying with the recommended conditions of approval.**

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;*

Finding: complies as conditioned. The Parks Department hired a certified arborist to conduct a tree inventory of the entire site. The inventory includes the species, size and health condition of each individual tree. To the greatest extent possible all healthy native trees will be preserved in the redevelopment of the park. Since existing conditions of the trees may change between the time of approval of this General Development Plan and the subsequent Detailed Development Plan review, the applicant shall provide an updated inventory of trees when the DDP is proposed. **The applicant can assure that this standard is met by complying with the recommended conditions of approval.**

- 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.*

Finding: complies as proposed. The proposed parking lots include landscape islands and perimeter landscape planting to meet the landscape requirements of the base zone.

- 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);*

Finding: complies as proposed. All vegetation planted in the NROD will be native and listed on the Oregon City Native Plant List or another locally adopted plant list.

- D. *Grading is subject to installation of erosion control measures required by the City;*

Finding: complies as proposed. All appropriate temporary and permanent erosion control measures will be installed at the park.

- 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;*

Finding: complies as proposed. The applicant acknowledges the above statement regarding setbacks. Further review of the need for modifications to setbacks shall be done at the time of detailed development plan review.

- 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;*

Finding: complies as proposed. The applicant acknowledges the above statement regarding setbacks.

- G. Fences in compliance with OCMC 17.49.080.N;*

Finding: complies as proposed. Fences will be 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;*

Finding: complies as proposed. Exterior lighting in the NROD will conform to the requirement above.

- I. If development will occur within the one hundred-year floodplain, the standards of OCMC 17.42 shall be met; and*

Finding: complies as proposed. Development will occur within the one hundred-year floodplain, therefore the development will comply with the standards of OCMC 17.42 at the time of DDP review.

- J. Mitigation of impacts to the regulated buffer is required, subject to OCMC 17.49.180 or 17.49.190.*

Finding: complies as proposed. Mitigation for this park development will comply to OCMC 17.49

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

<i>All other protected water features</i>	<i>< 25 percent</i>	• <i>Edge of bankfull flow</i> • <i>Delineated edge of Title 3 wetland</i>	<i>50 feet</i>
	<i>≥25 percent for 150 feet or more (see Note 2)</i>		<i>200 feet</i>
	<i>≥25 percent for less than 150 feet (see Note 2)</i>		<i>Distance from starting point of measurement to top of ravine (break in ≥25 percent slope) (See Note 3) plus 50 feet.</i>

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: complies as proposed. The applicant acknowledges calculation of a vegetated corridor as outlined above.

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: complies as proposed. The adopted NROD boundary at Clackamette Park already corresponds to the Metro Regionally Significant Habitat Map.

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 entirety of the project is located within the city limit, therefore these standards do not apply to the development.

17.49.120 - Maximum disturbance allowance for highly constrained lots of record.

In addition to the General Development Standards of OCMC 17.49.100, the following standards apply to a vacant lot of record that is highly constrained by the NROD, per OCMC 17.49.090.B and 17.49.090.F:

- A. Standard for Residential Development.** *In the NROD where the underlying zone district is zoned Residential (R-10, R-8, R-6, R-5, R-3.5): the maximum disturbance area allowed for new residential development within the NROD area of the lot is three thousand square feet.*

Finding: not applicable. This development is not residential.

- B. Standard for all developments not located in R-10, R-8, R-6, R-5, and R-3.5.** *For all other underlying zone districts, the maximum disturbance area allowed for a vacant, constrained lot of record development within the NROD is that square footage which when added to the square footage of the lot lying outside the NROD portion equals twenty-five percent of the total lot area.*

1. *Lots that are entirely covered by the NROD will be allowed to develop twenty-five percent of their area.*
2. *This can be determined by: (1) Multiplying the total square footage of the lot by .25; or (2) Subtracting from that amount the square footage of the lot that is located outside the NROD. The result is the maximum square footage of disturbance to be allowed in the NROD portion of the lot. If the result is < or = to 0, no disturbance is permitted and the building shall be located outside of the boundary.*

Finding: complies as conditioned. This standard constrains development within the NROD for vacant lots of record by allowing a maximum disturbance area of 25%. There are three parcels on the south end of the park that would be considered vacant lots of record within the NROD, tax lots 2-2E-30 -00102 (2.69 acres), 2-2E-30 -00100 (1.41 acres), and 2-2E-30 -01300 (0.69 acres) and no additional development other than new trail alignment and landscape plantings are proposed. The main parcel of the existing park, tax lot 2-2E-30 -00600, may already exceed this disturbance amount. Significant portions of the park will be restored to native vegetation and large areas of impervious area will be removed on this parcel. The applicant has not provided a calculation of development area associated with the proposal, however staff anticipates that there will be an overall decrease in areas that are currently devoid of any native vegetation. When the DDP is proposed the applicant shall provide a calculation of existing and proposed disturbance, and the net result. Importantly, planning staff would consider only new net disturbance as contributing towards the 25% limit, since pre-existing uses and structures would not be subject to this limitation under OCMC 17.49.080 and are permitted to continue. **The applicant can assure that this standard is met by complying with the recommended conditions of approval.**

- C. *In all areas, the disturbance area of a vacant, highly constrained lot of record within the NROD shall be set back at least fifty feet from the top of bank on Abernethy Creek, Newell Creek, or Livesay Creek or twenty-five feet from the top of bank of any tributary of the aforementioned Creeks, other water body, or from the delineated edge of a wetland located within the NROD area.*

Finding: not applicable. The park is already developed and is not vacant.

- D. *If the highly constrained lot of record cannot comply with the above standards, a maximum 1,500 square foot disturbance within the NROD area may be allowed.*

Finding: not applicable. The park is already developed and is not vacant.

For brevity, the remaining sections of Chapter 17.49 have been omitted since they will be reviewed with the subsequent Detailed Development Plan review. The code criteria may be reviewed at

https://library.municode.com/or/oregon_city/codes/municipal_code?nodeId=TIT17ZO_CH17.49NAREOVDI

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. The applicant attended the required pre-application conference (file PA-22-00046).

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 Two Rivers Neighborhood Association was inactive at the time of application. The applicant conducted extensive public outreach prior to application including a presentation to the Citizen Involvement Committee on August 1, 2022.

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. The applicant posted the property with the required notices on May 16, 2023 and additional signs were posted on June 7, 2023 in accordance with this section. Signed affidavits of posting are included in the land use file for this application.

17.50.140 – Financial guarantees.

When conditions of permit approval require a permittee to construct certain public improvements, the City shall require the permittee 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 permittee 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 permittee 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: Not applicable. Construction or associated permits are not pursued with this application. Subsequent DDPs which propose and require construction permits will be subject to this code section.

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: Not applicable. Construction or associated permits are not pursued with this application. Subsequent DDPs which propose and require construction permits will be subject to this code section.

CHAPTER 17.52 OFF-STREET PARKING AND LOADING

17.52.010 - Applicability.

The construction of a new structure or parking lot, or alterations to the size or use of an existing structure, parking lot or property use shall require site plan review approval and compliance with this chapter. This chapter does not apply to single-family attached, detached residential dwellings and duplexes.

Finding: applicable. This project includes new parking lots and will apply for a site plan review. Development will comply with chapter 17.52. Formal review for compliance with this chapter will be done when a detailed development plan is proposed.

17.52.015 - Planning commission adjustment of parking standards.

Finding: not applicable. The applicant has not requested an adjustment of parking standards from the Planning Commission. Pursuant to OCMC 17.52.020.A.2, the Community Development Director may approve a parking analysis for uses not specifically listed, which includes parks. The OCMC does not specify a specific required parking rate for public parks. Similar to park projects in the past, the applicant will provide a list of comparable parks in the region, including the size of the park, the amenities at the park and the amount of parking provided at the park. This research has been done and has formed the basis of design for the proposed parking that is provided at the park. This documentation will be included in the Detailed Development Plan.

17.52.020 - Number of automobile spaces required.

A. *The number of parking spaces shall comply with the minimum and maximum standards listed in Table 17.52.020. The parking requirements are based on spaces per one thousand square feet net leasable area unless otherwise stated.*

Table 17.52.020		
LAND USE	PARKING REQUIREMENTS	
	MINIMUM	MAXIMUM
Multifamily Residential	1.00 per unit	2.5 per unit
3-4 Plex Residential	2.00	4
Hotel, Motel	1.0 per guest room	1.25 per guest room
Correctional Institution	1 per 7 beds	1 per 5 beds
Senior housing, including congregate care, residential care and assisted living facilities; nursing homes and other types of group homes	1 per 7 beds	1 per 5 beds
Hospital	2.00	4.00
Preschool Nursery/Kindergarten	2.00	3.00
Elementary/Middle School	1 per classroom	1 per classroom + 1 per administrative employee + 0.25 per seat in auditorium/assembly room/stadium

<i>High School, College, Commercial School for Adults</i>	<i>0.20 per # staff and students</i>	<i>0.30 per # staff and students</i>
<i>Auditorium, Meeting Room, Stadium, Religious Assembly Building, movie theater,</i>	<i>.25 per seat</i>	<i>0.5 per seat</i>
<i>Retail Store, Shopping Center, Restaurants</i>	<i>4.10</i>	<i>5.00</i>
<i>Office</i>	<i>2.70</i>	<i>3.33</i>
<i>Medical or Dental Clinic</i>	<i>2.70</i>	<i>3.33</i>
<i>Sports Club, Recreation Facilities</i>	<i>Case Specific</i>	<i>5.40</i>
<i>Storage Warehouse, Freight Terminal</i>	<i>0.30</i>	<i>0.40</i>
<i>Manufacturing, Wholesale Establishment</i>	<i>1.60</i>	<i>1.67</i>
<i>Light Industrial, Industrial Park</i>	<i>1.3</i>	<i>1.60</i>

Finding: complies with conditions. This code section does not specify the required parking rate for public parks. The overall use of the park has not changed. The existing park provides 75 auto parking spaces and 46 boat trailer parking spaces. The amount of parking in the proposed site plan has been increased. The proposed park provides 90 auto parking spaces and 61 boat trailer parking spaces. Under new state rules for Climate Friendly and Equitable Communities, the City cannot require parking for new development within ½ a mile of a frequent transit corridor. 99-E is a frequent transit corridor and therefore, no minimum parking standard applies. At the time of detailed development plan the applicant shall provide the parking analysis for approval by the Community Development Director to assure that parking is sufficient. **The applicant can assure this standard is met through compliance with the conditions of approval attached to this decision.**

1. *Multiple Uses. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.*

Finding: not applicable. This application is for a single use only, a park. Therefore, these standards are not applicable to the development.

2. *Requirements for types of buildings and uses not specifically listed herein shall be determined by the Community Development Director, based upon the requirements of comparable uses listed.*

Finding: complies with conditions. This code section does not specify the required parking rate for public parks. The overall use of the park has not changed. The existing park provides 75 auto parking spaces and 46 boat trailer parking spaces. The amount of parking in the proposed site plan has been increased. The proposed park provides 90 auto parking spaces and 61 boat trailer parking spaces. Under new state rules for Climate Friendly and Equitable Communities, the City cannot require parking for new development within ½ a mile of a frequent transit corridor. 99-E is a frequent transit corridor and therefore, no minimum parking standard applies. At the time of detailed development plan the applicant shall provide the parking analysis for approval by the Community Development Director to assure that parking is sufficient. **The applicant can assure this standard is met through compliance with the conditions of approval attached to this decision.**

For brevity, the remaining sections of Chapter 17.52 have been omitted since they will be reviewed with the subsequent Detailed Development Plan. The code criteria may be reviewed at https://library.municode.com/or/oregon_city/codes/municipal_code?nodeId=TIT17ZO_CH17.52OREPALO

CHAPTER 17.54 SUPPLEMENTAL ZONING REGULATIONS AND EXCEPTIONS

17.54.100 Fences, Hedges, Walls, and Retaining Walls.

A. A fence, hedge, wall, retaining wall, or combination thereof may be located on real property, not within the right-of-way, subject to all of the following:

- 1. A fence, hedge, wall, retaining wall, or combination thereof located in front of a building may be up to 3.5-feet in total height as measured from the finished grade at any point on the fence.*
- 2. A fence, hedge, wall, located next to, or behind the forward most building, or within more than forty feet of the right-of-way, whichever is less may be up to:*
 - a. Six feet in total height for residential properties with less than five units as measured from the finished grade at any point on the fence; or*
 - b. Eight feet in total height for all other uses as measured from the finished grade at any point on the fence.*
- 3. A retaining wall or combination of a fence, hedge, wall located next to and behind the forward most building, or within more than forty feet of the right-of-way, whichever is less, may be up to (as measured from the finished grade) 8.5 feet in height from the finished grade.*
- 4. Fences, hedges, and/or walls located within two feet above a retaining wall, as measured on a horizontal plane, shall be measured together for the purposes of determining height.*
- 5. Property owners shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.*
- 6. Retaining walls completely below the elevation of the right-of-way may be up to six feet in height.*
- 7. Minimum fall protection required by the Building Official, such as railings, is not included in the height of a retaining wall but must comply with the fence height requirements.*

Finding: complies as proposed. All proposed fences, hedges, walls and retaining walls proposed with this development will conform with the standards of 17.54.100, as outlined above.

B. When no other practicable alternative exists, the City Engineer may permit a fence, hedge, wall, retaining wall, or combination thereof to be located within the right-of-way subject to all of the following:

- 1. A Revocable Permanent Obstruction in the Right of Way permit is granted per OCMC 12.04.120;*
- 2. Retaining walls, fences, or hedges comply with OCMC 17.54.100.A, unless determined to be impracticable by the City Engineer.*
- 3. The abutting property owner shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.*

Finding: not applicable. No fences are being proposed in the right-of-way.

C. It is unlawful for any person to erect any electric fence or any fence constructed in whole or in part of barbed wire or to use barbed wire, except as erected in connection with security installations at a minimum height of six feet, providing further that prior written approval has been granted by the City Manager.

Finding: not applicable. No electric or barbed wire fences are being proposed as a part of this development.

CHAPTER 17.62 - SITE PLAN AND DESIGN REVIEW

14. Compliance with Chapter 17.62 will be determined at the time of Detailed Development Plan submittal. The code criteria may be reviewed at

https://library.municode.com/or/oregon_city/codes/municipal_code?nodeId=TIT17ZO_CH17.62SIPLDERE

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. This project is 27 acres in size and therefore requires a Master Plan.

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. A preapplication conference for the General Development Plan was held on 9/28/2022. A subsequent preapplication conference will be held at a future date, prior to the submittal of the Detailed Development Plan.

- 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: complies. This application is for the General Development Plan and will be reviewed under a Type III procedure pursuant to OCMC 17.65.080.

- 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: complies as proposed. The application for the Detailed Development Plan will be made at a future date, in accordance with the requirements above. The subsequent detailed development plan may require review by the Planning Commission through a Type III master plan amendment pursuant to OCMC 17.65.070 and .080 if any adjustments to the code are requested at that time.

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 project is not pursuing a concurrent application; therefore this standard does not apply to the development.

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 with conditions. The applicant has indicated that a detailed development plan will be submitted at a later time. Should the applicant request any adjustments to the development code at the time of Detailed Development Plan submittal, they shall be processed through a Type III process unless the code provides otherwise. **The applicant can assure this standard is met through compliance with the conditions of approval attached to this decision.**

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: complies as proposed. The proposed duration of the General Development plan is 20 years. The improvements shown on the General Development site plan may be phased but specific phasing, staging and timing has not yet been determined.

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 x 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 one-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. The project site is located at the confluence of the Clackamas and Willamette Rivers and is at the far northwest corner of Oregon City. The site has been developed and used as a park for many decades. The improvements have included boat launches in multiple spaces, an RV park, pedestrian paths, vehicular circulation and parking, open space lawn areas, a play area, a skate park, a large horseshoe facility and other miscellaneous improvements. The lot on the east side of Clackamette Drive, currently owned by the City, has served as overflow parking and special event space.

The park is owned by the Oregon City Parks Department. The onsite building inventory includes an existing restroom building, two picnic shelters and a covering over some of the horseshoe pits. There are currently 75 designated and informal parking spaces. The designated spaces are in striped asphalt parking lots near the main entry into the park and near the boat ramp. The informal parking occurs at the gravel shoulders along the RV park access road. There are 46 boat trailer parking spaces adjacent to the boat ramp. Bicycle parking is not currently provided at the park. There are numerous existing trees, largely consisting of black cottonwoods with lesser numbers of ash, maple and other species. The park currently has several acres of open lawn space. (Natural cultural/ historical resources that appear on the city's adopted Goal 5 inventory will not be disturbed in the redevelopment of Clackamette Park. There are steep slopes located along the perimeter of the site, in some of the areas nearest to the river. Some of these slopes are categorized at geologic hazards pursuant to OCMC 17.44.

The park is currently served by domestic water, sanitary sewer, storm lines and electrical connections. There is a 12" domestic water line in Main Street with a 4" cast iron tap to the park site. This currently serves the restroom facility and the irrigation system. There is one sanitary connection from the restroom to the 12" sanitary line located in Main Street and one connection from the RV dump station to the line in Main Street. There is an 8" storm line on the site that connects to the storm line in Main Street.

The following transportation improvements are identified in the Oregon City Transportation System Plan (TSP) adjacent to the park which are to be completed with subsequent development applications:

Project C1 of the Transportation System Plan (TSP) shall be completed with completion of the RV Park located on the south side of Main Street. TSP projects S1 and W2 shall be completed by when the master plan completes more than 75% of the master plan.

S1 – Shared-Use Path (this path will fulfill a portion of Regional Trail R1): Add a 10-foot-wide (or wider) shared-use path on the north side of the Main Street which connects to the pedestrian path for the park.

W2 – Main Street Sidewalk Infill. (A shared-use path added per project S1 may fulfill a portion of this): Construct sidewalk along the frontage of the development properties (along Main Street and Clackamette Drive).

C1 – Clackamette Drive Crossing. Provide an ADA compliant crosswalk (including ADA compliant curb ramps) and pedestrian activated signal from Clackamette Park overflow lot to the Clackamette Park entrance.

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.*
- 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.*
- 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.*
- 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.*
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. The proposed duration of the General Development plan is 20 years. The improvements shown on the General Development site plan may be phased but specific phasing, staging and timing has not yet been determined. The proposed development is consistent with OCMC 17.65 as outlined specifically in the preceding General Development Plan narrative. The proposed site use will remain the same as the existing site use, a community park. The analysis of the transportation impacts are outlined in the attached Transportation Analysis Letter. Public Facilities impacts have been addressed in prior sections. The park improvements included in this General Development Plan will have a positive impact in the Neighborhood Livability, updating a well-used park and well-loved park, creating additional opportunities to access the Clackamas and Willamette Rivers and to encounter nature.

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 as proposed. The applicant acknowledges that the General Development Plan will be required to be consistent with OCMC 17.65. The purposes of this chapter in OCMC 17.65.010.

17.65.010 - Purpose and intent.

It is the intent of this chapter 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. The city recognizes the valuable housing options, services

and/or employment opportunities that these developments bring to Oregon City residents. The master plan or planned unit development process is intended to facilitate an efficient and flexible review process for major developments, support innovative and creative land development, and to provide long-term assurance to plan for and execute developments in a phased manner. To facilitate this, the master plan process is structured to allow an applicant to address larger development issues, such as adequacy of infrastructure and transportation capacity, and reserve capacity of the infrastructure and transportation system before expenditure of final design costs. The master plan or planned unit development process is further intended to promote efficiency in land development, maintenance, street systems and utility networks while providing site layouts that integrate usable and attractive open spaces, site circulation, and the general wellbeing of site users. For the purposes of this chapter planned unit developments are considered the same as master plans.

This GDP will guide the redevelopment of Clackamette Park in order that it continue to provide the major public benefits associated with a regional park. It will facilitate the efficient review of subsequent phases of park development, and assure the adequacy of public infrastructure and services to the development.

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

Finding: complies as proposed. The applicant acknowledges that the detailed development plan will be required to be consistent with OCMC 12.04, 16.12 and 17.62, as applicable.

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 as proposed. The proposed intensity level of development does not vary significantly from the existing intensity level of development. The existing levels of public services being provided will be sufficient for the proposed park development.

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 as proposed. The proposed General Development Plan will protect all inventoried Goal 5 resources within the project boundary through the application of the various overlay district standards and through the subsequent site plan and design review process.

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 as proposed. The proposed intensity level of development does not vary significantly from the existing intensity level of development. Transportation impacts associated with the proposal have been documented in a Transportation Analysis Letter which will be evaluated in further detail at the time of Detailed Development Plan review. The existing levels of public services being provided will be sufficient for the proposed park development. The proposed General Development Plan adequately mitigates identified impacts from the entirety of the development.

6. *The proposed general development plan is consistent with the Oregon City Comprehensive Plan.*

Finding: complies as proposed. The proposed General Development Plan is consistent with the Oregon City Comprehensive plan as explained below.

Relevant Excerpts from the OC 2040 Oregon City Comprehensive Plan (adopted 2022).

(P.53) Parks and Recreation

Oregon City has a variety of parks, trails and open space governed by a Parks and Recreation Master Plan (2008). Currently in the process of being updated (2022), the Plan serves as a guide to implementing Oregon City's goal of providing a broad range of parks and recreational spaces, activities, and programs to meet the current and future needs of its residents. The plan emphasizes the unique assets in Oregon City and identifies opportunities to further leverage those assets and build new ones. A set of mission statements provides the framework for the plan and will also serve as a starting point for new OC2040 goals and strategies that are developed for this project. Those mission statements are:

- *Strengthen community image and sense of place, promote cultural unity*
- *Protect and preserve natural and cultural resources*
- *Foster social, intellectual, physical and emotional development*
- *Strengthen safety and security in park and recreation spaces*
- *Support economic development*
- *Provide educational experiences through recreation*
- *Promote health, wellbeing, and community problem solving*
- *Be good stewards of public resources*

(P.54) Natural Resources

In Oregon City, the Clackamas River along the northern boundary of the city, as well as Abernethy, Newell, Holcomb, Potter, and other creeks provide both spawning and rearing habitat for steelhead trout, coho salmon, and cutthroat trout. Riparian corridors, the areas on either side of a stream, are critical to protecting the stream ecosystem and quality of habitat for salmonids and other stream-dependent species. Surface water from the Lower Clackamas River is the source of potable water for Oregon City and West Linn. The Clackamas River is a recreational waterway and offers a boat ramp at Clackamette Park and Riverside Park at the end of Water Avenue.

Comprehensive Plan Chapter 1. Healthy and Welcoming Communities

GOAL 1 Implement and maintain a community engagement program that provides broad and inclusive opportunities for all Oregon City community members to learn about and understand city government processes, including land use planning, and participate meaningfully in decisions that impact their communities.

POLICY 1.5 Provide on-going education to the community regarding land use projects and processes and ensure clear communication about when and how to be involved at key points in the process.

STRATEGY 1.5.A Notify citizens about community involvement opportunities when they occur.

The general development plan is consistent with the stated Goal 1, policies and strategies. The applicant conducted an extensive public engagement process to develop the final conceptual design for the master plan which is documented on the project website <https://www.orcity.org/parksandrecreation/project/clackamette>. The master planning process included talking with City officials, state agencies, reaching out to stakeholders and engaging Oregon City residents to help guide the master planning process. A series of interactive public meetings was held to create a foundation for the master plan, review concept ideas and provide input on a final master plan for the park. The first open house meeting was held on March 1 where site analysis drawings were presented to the public. Information presented included project context, existing conditions, site opportunities and constraints. Early survey results helped guide conversations and feedback. Those in attendance discussed several key ideas and there was in-depth conversation surrounding how the park should feel, what site amenities should be a priority and what types of river access best serve the community. Attendees provided feedback and a number of other pertinent issues surrounding Clackamette Park. Public notice of this application was provided in accordance with OCMC 17.50.

Comprehensive Plan Chapter 4: Protected Environment

GOAL 1 Provide and maintain a comprehensive system of parks, trails, natural resource areas, and recreation amenities that is accessible to residents of all ages and abilities, enhances the environmental and aesthetic quality of the community, and encourages healthy living.

POLICY 1.4 Reduce barriers to park use and improve safety and accessibility of parks resources for all users, regardless of ability, comfort level, or native language.

STRATEGY 1.4.A 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.

The general development plan is consistent with the stated Goal 1, policies and strategies.

GOAL 2 Conserve, protect, and enhance the function, health, and diversity of the City's natural resources and ecosystems.

POLICY 2.4 Protect and enhance the urban forest tree canopy.

STRATEGY 2.4.A Encourage the maintenance and improvement of the city's tree canopy to improve air quality.

POLICY 2.5 Support water conservation and storm water management efforts within the Willamette Basin.

STRATEGY 2.5.A Prevent erosion and restrict the discharge of sediments into surface- and groundwater by requiring erosion prevention measures and sediment control practices.

STRATEGY 2.5.B Where feasible, use open, naturally vegetated drainage ways to reduce stormwater and improve water quality.

The general development plan is consistent with the stated Goal 2, policies and strategies through the application of development codes and overlay district regulations and in the OCMC that are acknowledged as consistent with the Statewide land use planning goals of the State of Oregon, and through the application of engineering and public works design standards for stormwater management, erosion control and drainage.

POLICY 2.7 Support programs and methods that will improve air quality in Oregon City.

STRATEGY 2.7.A 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.

POLICY 2.8 Protect the Clackamas and Willamette Rivers and their tributaries including Newell Creek as the centerpieces of Oregon City's natural environment.

POLICY 2.9 Establish, restore, and maintain a network of connected wildlife habitat corridors.

STRATEGY 2.9.A 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.

The general development plan is consistent with the above stated Goal 2 policies and strategies through the application of development codes and overlay district regulations and in the OCMC that are acknowledged as consistent with the Statewide land use planning goals of the State of Oregon, and through the application of engineering and public works design standards for stormwater management, erosion control and drainage.

GOAL 3

Ensure the safety of residents and property by supporting plans, programs, and investments that minimize the impacts of future natural hazard events and aid in rapid response and recovery.

POLICY 3.2 Restrict development in unsafe areas and where development would increase hazard impacts, such as steep slopes, landslides, wetlands, streams, and floodplains.

The general development plan is consistent with the stated Goal 3, policies and strategies through the application of the Clackamas County Hazard Mitigation Plan and through application of development codes and overlay district regulations in the OCMC.

GOAL 4

Ensure the environmental and economic health of the Willamette River Greenway (WRG) as a key feature of Oregon City and the broader region

POLICY 4.1 Protect the significant fish and wildlife habitat of the Willamette River by maximizing the preservation of trees and vegetative cover.

POLICY 4.2 Preserve major scenic views, drives and sites of the WRG.

POLICY 4.3 Encourage access to and along the river consistent with the Oregon City Park and Recreation Master Plan.

POLICY 4.5 Protect and maintain parks and recreation areas and facilities along the Willamette River to minimize effects in the WRG, in accordance with the Oregon City Park and Recreation Master Plan.

The general development plan is consistent with the stated Goal 4, policies and strategies through the application of the application of development codes and overlay district regulations in the OCMC.

7. *The proposed general development plan is consistent with the underlying zoning district(s) and any applicable overlay zone or concept plans.*

Finding: complies as proposed. As shown in the findings in this report, the proposed general development plan is consistent with the underlying I - Institutional zoning district and relevant overlay district. The proposed General Development Plan does not significantly alter the site usage from its current usage.

17.65.060 - Detailed development plan.

Finding: complies as proposed. The applicant acknowledges the requirements of the Detailed Development Plan outlined in this section. This information will be included at a future date in conjunction with the submission of the Detailed Development Plan.

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: not applicable. The applicant is not requesting any adjustments at this time, therefore these standards do not apply to this project.

- 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: not applicable. The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

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. The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

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: complies as proposed. The applicant acknowledges the amendment requirements as outlined above.

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 as proposed. The applicant acknowledges the amendment requirements as outlined above.

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 as proposed. The applicant acknowledges the effective date of the General Development Plan relative to the land use regulations that will govern the development of the project site.

CHAPTER 12.04 – STREETS SIDEWALKS AND PUBLIC SPACES

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

- A. *The City has jurisdiction and exercises regulatory management over all public rights-of-way within the City under authority of the City Charter and state law by issuing separate public works right-of-way permits or permits as part of issued public infrastructure construction plans. No work in the public right-of-way shall be done without the proper permit. Some public rights-of-way within the city are regulated by the State of Oregon Department of Transportation (ODOT) or Clackamas County and as such, any work in these streets shall conform to their respective permitting requirements.*
- C. *The City has jurisdiction and exercises regulatory management over each public right-of-way whether the City has a fee, easement, or other legal interest in the right-of-way. The City has jurisdiction and regulatory management of each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.*
- D. *No person may occupy or encroach on a public right-of-way without the permission of the City. The City grants permission to use rights-of-way by franchises, licenses and permits.*
- E. *The exercise of jurisdiction and regulatory management of a public right-of-way by the City is not official acceptance of the right-of-way, and does not obligate the City to maintain or repair any part of the right-of-way.*

Finding: Applicable. The City of Oregon City has jurisdiction over Clackamette Drive & Main Street. Although the project does not directly front McLoughlin Boulevard, transportation activities at the park may impact the McLoughlin Boulevard & Dunes Drive intersection due to its close proximity. McLoughlin Boulevard is a road under jurisdiction of the Oregon Department of Transportation.

12.04.025 - Driveways.

Driveways shall be reviewed in accordance with OCMC 16.12.035. Driveway requirements may be modified through the procedures in OCMC 16.12.013.

Finding: Applicable. See 16.12.035 for more information.

12.04.030 - Maintenance and repair.

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

Finding: Not applicable. Existing sidewalk of the street abutting the development property is in good repair and the city has not found the need to make repairs at the at the time of application.

12.04.032 - Required sidewalk repair.

- A. *When the Public Works Director determines that repair of a sidewalk is necessary, written notice shall be provided to the owner of property adjacent to the defective sidewalk.*
- B. *The notice shall require the owner of the property adjacent to the defective sidewalk to complete the repair of the sidewalk within ninety days after the service of notice. The notice shall also state that if the repair is not made by the owner, the City may do the work and the cost of the work shall be assessed against the property adjacent to the sidewalk.*
 - 1. *All sidewalks hereafter constructed in the City on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan and OCMC 16.12. Sidewalks and curbs are to be constructed according to plans and specifications approved by the City Engineer.*
 - 2. *Sidewalks constructed on unimproved streets shall be constructed of concrete according to lines and grades approved by the City Engineer. On unimproved streets, curbs do not have to be constructed.*
- C. *The Public Works Director shall cause a copy of the notice to be served personally upon the owner of the property adjacent to the defective sidewalk, or the notice may be served by registered or certified mail, return receipt requested. If after diligent search the owner is not discovered, the Public Works Director shall cause a copy of the notice to be posted in a conspicuous place on the property, and such posting shall have the same effect as service of notice by mail or by personal service upon the owner of the property.*
- D. *The person serving the notice shall file with the City recorder a statement stating the time, place and manner of service or notice.*

Finding: Not applicable. The existing sidewalk of the street abutting the development property is in good repair and the city has not found the need to make repairs at the at the time of application.

12.04.050 - Retaining walls—Required.

Every owner of a lot within the City, abutting upon an improved street, where the surface of the lot or tract of land is above the surface of the improved street and where the soil or earth from the lot, or tract of land is liable to, or does slide or fall into the street or upon the sidewalk, or both, shall build a retaining wall, the outer side of which shall be on the line separating the lot, or tract of land from the improved street, and the wall shall be so constructed as to prevent the soil or earth from the lot or tract of land from falling or sliding into the street or upon the sidewalk, or both, and the owner of any such property shall keep the wall in good repair.

Finding: Not Applicable. No retaining walls exist or are proposed on this project adjacent to the public sidewalk.

12.04.100 - Excavations—Restoration of pavement.

Whenever any excavation shall have been made in any pavement or other street improvement on any street or alley in the City for any purpose whatsoever under the permit granted by the engineer, it shall be the duty of the person making the excavation to restore the pavement in accordance with the City of Oregon City Public Works Pavement Cut Standard in effect at the time a right-of-way 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: Not applicable. Excavation is not proposed.

12.04.120 - Obstructions—Permit required.

- A. Permanent Obstructions. It is unlawful for any person to place, put or maintain any obstruction, other than a temporary obstruction, as defined in subsection B. of this section, in any public street or alley in the City, without obtaining approval for a right-of-way permit from the City Commission by passage of a resolution.*
- 1. The City Engineer shall provide applicants with an application form outlining the minimum submittal requirements.*
 - 2. The applicant shall submit at least the following information in the permitting process in order to allow the City Commission to adequately consider whether to allow the placement of an obstruction and whether any conditions may be attached:*
 - a. Site plan showing right-of-way, utilities, driveways as directed by staff;*
 - b. Sight distance per OCMC 10.32, Traffic Sight Obstructions;*
 - c. Traffic control plan including parking per Manual on Uniform Traffic Control Devices (MUTCD);*
 - d. Alternative routes if necessary;*
 - e. Minimizing obstruction area; and*
 - f. Hold harmless/maintenance agreement.*
 - 3. If the City Commission adopts a resolution allowing the placement of a permanent obstruction in the right-of-way, the City Engineer shall issue a right-of-way permit with any conditions deemed necessary by the City Commission.*
 - 4. Signage that acts as an obstruction is approved through OCMC 15.28*
- B. Temporary Obstructions.*
- 1. A "temporary obstruction" is defined as an object placed in a public street, sidewalk, road, or alley which is not permanently anchored to another surface such as the pavement, sidewalk, or a building. A "temporary obstruction" includes, but is not limited to, moving containers, debris dumpsters, and seating.*
 - a. Planters and benches are exempt from permitting unless the City Engineer finds by inspection that the planter or bench is impeding use of the right-of-way. If deemed an impeding use, a planter or bench will comply with the requirements for temporary obstructions.*
 - 2. The City Engineer, or designee, is authorized to grant a permit for a temporary obstruction.*
 - 3. The City Engineer shall provide applicants with an application form outlining the minimum submittal requirements.*
 - 4. The applicant shall submit, and the City Engineer, or designee, shall consider, at least the following items in the permitting process. Additional information may be required in the discretion of the City Engineer:*
 - a. Site plan showing right-of-way, utilities, driveways as directed by staff;*
 - b. Sight distance per OCMC 10.32, Traffic Sight Obstructions;*

- c. Traffic control plan including parking per Manual on Uniform Traffic Control Devices (MUTCD);
 - d. Handicap accessible route complying with Americans with Disability Act (ADA) standards.
 - e. Alternative routes if necessary;
 - f. Minimizing obstruction area; and
 - g. Hold harmless/maintenance agreement.
5. In determining whether to issue a right-of-way permit to allow a temporary obstruction, the City Engineer may issue such a permit only after finding that the following criteria have been satisfied:
- a. The obstruction will not unreasonably impair the safety of people using the right-of-way and nearby residents;
 - b. The obstruction will not unreasonably hinder the efficiency of traffic affected by the obstruction;
 - c. No alternative locations are available that would not require use of the public right-of-way; and;
 - d. Any other factor that the City Engineer deems relevant.
6. The permittee shall post a weatherproof copy of the temporary obstruction permit in plain view from the right-of-way.
7. Types
- a. A short-term temporary obstruction is allowed for a period of not more than 60 consecutive calendar days. It is permitted with a temporary obstruction in the right-of-way permit.
 - b. A long-term temporary obstruction is allowed for a period of not more than one year, and it is permitted with a renewable right-of-way permit.
8. Signage that acts as an obstruction is approved through OCMC 15.28

C. *Fees.* The fee for obtaining a right-of-way permit for either a permanent obstruction or a temporary obstruction shall be set by resolution of the City Commission.

Finding: Not Applicable. No obstructions are proposed within the right of way.

12.04.150 - Street and alley vacations—Cost.

At the time of filing a petition for vacation of a street, alley or any part thereof, a fee as established by City Commission resolution shall be paid to the City. The City Commission, upon hearing such petition, may grant the same in whole or in part, or may deny the same in whole or in part, or may grant the same with such reservations as would appear to be for the public interest, including reservations pertaining to the maintenance and use of underground public utilities in the portion vacated.

Finding: Not Applicable. No vacations are proposed as part of this application.

12.04.170 - Street design—Purpose and general provisions.

All development shall be in conformance with the city's public facility master plans, public works policies, standard drawings and engineering specifications. All streets shall be reviewed and approved by the city engineer prior to construction. All streets and driveway connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat or site planning and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.

Finding: See findings from chapter 16.12 of this report.

12.04.270 - Standard construction specifications.

The workmanship and materials for any work performed under permits issued per this chapter shall be in accordance with the current edition of the "Oregon Standard Specifications for Construction" as prepared by the Oregon Department of Transportation (ODOT) and the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the City in accordance with this ordinance, in effect at the time of

application. The exception to this requirement is where this chapter and the Public Works Street Standard Drawings provide other design details, in which case the requirements of this chapter and the Public Works Street Standard Drawings shall control. In the case of work within ODOT or Clackamas County rights-of-way, work shall be in conformance with their respective construction standards.

Finding: Not applicable. Construction or associated permits are not pursued with this application. Subsequent DDPs which propose and require construction permits will be subject to this code section.

CHAPTER 13.12 – STORMWATER MANAGEMENT

13.12.050 - Applicability and exemptions.

This chapter establishes performance standards for stormwater conveyance, quantity and quality. Additional performance standards for erosion prevention and sediment control are established in OCMC 17.47.

A. Stormwater Conveyance. The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:

- 1. The conveyance facilities are located entirely on one privately owned parcel;*
- 2. The conveyance facilities are privately maintained; and*
- 3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits.*

Those facilities exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the Building Official.

Finding: Applicable. Connection to a public stormwater conveyance system is required to serve this development.

B. Water Quality and Flow Control. The water quality and flow control requirements of this chapter shall apply to the following proposed uses or developments, unless exempted under subsection C:

- 1. Activities located wholly or partially within water quality resource areas pursuant to OCMC 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the NROD or will disturb more than one thousand square feet of existing impervious surface within the NROD as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given five-year period; or*
- 2. Activities that create or replace more than five thousand square feet of impervious surface, cumulated over any given five-year period.*

Finding: Applicable. The proposed master plan will create more than five hundred square feet of impervious surface.

C. Exemptions. The following exemptions to subsection B of this section apply:

- 1. An exemption to the flow control requirements of this chapter will be granted when the development site discharges to the Willamette River, Clackamas River or Abernethy Creek; and either lies within the one hundred-year floodplain or is up to ten feet above the design flood elevation as defined in OCMC 17.42, provided that the following conditions are met:*
 - a. The project site is drained by a conveyance system that is comprised entirely of manmade elements (e.g. pipes, ditches, culverts outfalls, outfall protection, etc.) and extends to the ordinary high water line of the exempt receiving water; and*
 - b. The conveyance system between the project site and the exempt receiving water has sufficient hydraulic capacity and erosion stabilization measures to convey discharges from the proposed conditions of the project site and the existing conditions from non-project areas from which runoff is collected.*

2. Projects in the following categories are generally exempt from the water quality and flow control requirements:

- a. Stream enhancement or restoration projects approved by the City.
- b. Farming practices as defined by ORS 30.960 and farm use as defined in ORS 214.000; except that buildings associated with farm practices and farm use are subject to the requirements of this chapter.
- c. Actions by a public utility or any other governmental agency to remove or alleviate an emergency condition.
- d. Road and parking area preservation/maintenance projects such as pothole and square cut patching, surface sealing, replacing or overlaying of existing asphalt or concrete pavement, provided the preservation/maintenance activity does not expand the existing area of impervious coverage above the thresholds in subsection B of this section.
- e. Pedestrian and bicycle improvements (sidewalks, trails, pathways, and bicycle paths/lands) where no other impervious surfaces are created or replaced, built to direct stormwater runoff to adjacent vegetated areas.
- f. Underground utility projects that replace the ground surface with in-kind material or materials with similar runoff characteristics.
- g. Maintenance or repair of existing utilities.

Finding: Applicable. An exemption to the flow control requirements of this chapter is applicable because the development site is downstream of the existing stormwater infrastructure and will need to discharge to the Willamette River or Clackamas River. The site also lies within the one hundred-year floodplain and is within ten feet of the design flood elevation as defined in OCMC 17.42. The project site can be drained by a conveyance system that is comprised entirely of manmade elements (e.g. pipes, ditches, culverts outfalls, outfall protection, etc.) and extends to the ordinary high water line of the exempt receiving water.

D. Uses Requiring Additional Management Practices. In addition to any other applicable requirements of this chapter, the following uses are subject to additional management practices, as defined in the Public Works Stormwater and Grading Design Standards:

- 1. Bulk petroleum storage facilities;
- 2. Above ground storage of liquid materials;
- 3. Solid waste storage areas, containers, and trash compactors for commercial, industrial, or multi-family uses;
- 4. Exterior storage of bulk construction materials;
- 5. Material transfer areas and loading docks;
- 6. Equipment and/or vehicle washing facilities;
- 7. Development on land with suspected or known contamination;
- 8. Covered vehicle parking for commercial or industrial uses;
- 9. Industrial or commercial uses locating in high traffic areas, defined as average daily count trip of two thousand five hundred or more trips per day; and
- 10. Land uses subject to DEQ 1200-Z Industrial Stormwater Permit Requirements.

Finding: Not Applicable. The development has not proposed use of the land that requires additional management practices as defined in the Public Works Stormwater and Grading Design Standards.

13.12.080 - Submittal requirements.

- A. Applications subject to stormwater conveyance, water quality, and/or flow control requirements of this chapter shall prepare engineered drainage plans, drainage reports, and design flow calculation reports in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards.
- B. Each project site, which may be composed of one or more contiguous parcels of land, shall have a separate valid city approved plan and report before proceeding with construction.

Finding: Not applicable. Construction activities are not proposed. So a preliminary stormwater report and stormwater plan is not required at this time. However, stormwater report(s) will be required for each phase of the development. **See findings from section 13.12.090 of this report.**

13.12.090 - Approval criteria for engineered drainage plans and drainage report.

An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:

A. The plan and report demonstrate how the proposed development and stormwater facilities will accomplish the purpose statements of this chapter.

B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under OCMC 13.12.020.

C. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.

D. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams.

E. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.

Finding: Complies as conditioned. Construction activities are not proposed so the application package did not include a preliminary stormwater report and stormwater plan sheet, prepared by a professional, licensed civil engineer. Detailed Development Plans (DDPs) within the master plan area shall provide 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 of the Public Works Stormwater and Grading Design Standards. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

13.12.100 - Alternative materials, alternative design and methods of construction.

The provisions of this chapter are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this chapter or the Public Works Stormwater and Grading Design Standards, provided any alternate has been approved and its use authorized by the City Engineer. The City Engineer may approve any such alternate, provided that the City Engineer finds that the proposed design is satisfactory and complies with the intent of this chapter and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed by this chapter in effectiveness, suitability, strength, durability and safety. The City Engineer shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the City files.

Finding: Not Applicable. The applicant has not proposed alternative design methods requiring special approval by the City Engineer. However, should the applicant propose such methods with the public facilities construction plan submittal, the proposal will be reviewed and approved by the City Engineer as required.

13.12.110 - Transfer of engineering responsibility.

Project drainage plans shall always have a project engineer. If the project engineer is changed during the course of the work, the City shall be notified in writing and the work shall be stopped until the replacement engineer has agreed to accept the responsibilities of the project engineer. The new project engineer shall provide written notice of accepting project responsibility to the City within seventy-two hours of accepting the position as project engineer.

Finding: Complies as conditioned. The developer is required to execute a "Developer/Engineer Agreement for Public Works Improvements" per section 16.12.014.

13.12.120 - Standard construction specifications.

The workmanship and materials shall be in accordance with the current edition of the "Standard Specifications for Public Works Construction," as prepared by the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the City, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Stormwater and Grading Design Standards provide other design details, in which case the requirements of this chapter and the Public Works Stormwater and Grading Design Standards shall be complied with.

Finding: Not applicable. Construction or associated permits are not pursued with this application. Subsequent DDPs which propose and require construction permits will be subject to this code section.

13.12.140 - Maintenance of public stormwater facilities.

A. A stormwater facility that receives stormwater runoff from a public right-of-way shall be a public facility. Upon expiration of the warranty period and acceptance by the City as described below, the City shall be responsible for maintenance of those public stormwater facilities. Access for maintenance of the stormwater facilities shall be provided to the City through the granting of a stormwater easement or other means acceptable to the City.

Finding: Not applicable. The applicant has not proposed public stormwater facilities. Maintenance of public stormwater facilities will depend on what each individual Detailed Development Plan (DDP) within the master plan proposes regarding stormwater management.

B. Responsibility for maintenance of stormwater facilities including all landscaping, irrigation systems, structures and appurtenances shall remain with the property owner/developer for two years (known as the warranty period). The owner/developer shall provide the City a separate two-year landscaping maintenance surety bond for one hundred ten percent of the landscaping cost. Transfer of maintenance of stormwater conveyance systems shall occur when the City accepts the stormwater conveyance system.

Finding: Not applicable. The applicant has not proposed public stormwater facilities. Maintenance of public stormwater facilities will depend on what each individual Detailed Development Plan (DDP) within the master plan proposes regarding stormwater management.

13.12.145 - Maintenance of private stormwater facilities.

A. An applicant shall submit an operation and maintenance plan for each proposed stormwater facilities, unless exempted in the Public Works Stormwater and Grading Design Standards. The information in the operation and maintenance plan shall satisfy the requirements of the Public Works Stormwater and Grading Design Standards.

B. Private owners are required to inspect and maintain stormwater facilities on their property in accordance with an approved operation and maintenance plan. A maintenance log is required to document facility inspections and specific maintenance activities. The log shall be available to City inspection staff upon request.

C. Failure to operate or maintain a stormwater facility according to the operation and maintenance plan may result in an enforcement action under Section 13.12.150.

Finding: Not applicable. The applicant has not proposed stormwater facilities. Maintenance of public stormwater facilities will depend on what each individual Detailed Development Plan (DDP) within the master plan proposes regarding stormwater management.

13.12.170 - Permits from other jurisdictions.

A. The Oregon State Department of Environmental Quality (DEQ) currently issues NPDES 1200-C permits for projects that cover areas of one acre or greater. No permit shall be issued for projects of this size (or any other size as modified by DEQ) without a copy of said DEQ permit being on file with Oregon City. DEQ is responsible for policing its own permits; however, if City personnel observe conditions that are believed to be in violation of any

such permit, and cannot get corrections made, the City will bring such conditions to the attention of the appropriate DEQ representatives.

Finding: Complies as conditioned. The development site exceeds 1.0 acre in disturbed area. The developer for future DDPs shall obtain a 1200-C (NPDES) permit from Oregon Department of Environmental Quality (DEQ) for construction activities one acre or greater prior to receiving any city permits for construction. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

B. Projects may require Oregon State Division of State Lands (DSL) and/or United States Army Corps of Engineers (USACE) permits. If such permits are required, no permission to construct will be granted until such a time as a copy of such permit is on file with the City or notice is received from those agencies that a permit is not required. DSL/USACE is responsible for enforcing its own permits; however, if City personnel observe conditions that are believed to be in violation of any such permit, and cannot get corrections made, the City will bring such conditions to the attention of the appropriate DSL/USACE representatives.

Finding: Complies as conditioned. If construction activities are proposed within the jurisdiction of Oregon State Division of State Lands (DSL) and/or United States Army Corps of Engineers (USACE), the developer shall obtain permits from those government agencies. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

C. Projects may require Oregon State Department of Fish and Wildlife (ODFW) permits. When ODFW permits are required, no work will be authorized until the receipt of a copy of the ODFW permit. ODFW is responsible for policing its own permits; however, if City personnel observe conditions that are believed to be in violation of any such permit, and cannot get corrections made, the City will bring such conditions to the attention of the appropriate ODFW representatives.

Finding: Complies as conditioned. If construction activities are proposed within the jurisdiction of Oregon State Department of Fish and Wildlife (ODFW), the developer shall obtain permits from those government agencies. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the**

CHAPTER 15.48 – GRADING, FILLING AND EXCAVATING

15.48.030 Applicability—Grading permit required.

A. A city-issued grading permit shall be required before the commencement of any of the following filling or grading activities:

- 1. Grading activities in excess of ten cubic yards of earth;*
- 2. Grading activities which may result in the diversion of existing drainage courses, both natural and man-made, from their natural point of entry or exit from the grading site;*
- 3. Grading and paving activities resulting in the creation of impervious surfaces greater than two thousand square feet or more in area;*
- 4. Any excavation beyond the limits of a basement or footing excavation, having an unsupported soil height greater than five feet after the completion of such a structure; or*
- 5. Grading activities involving the clearing or disturbance of one-half acres (twenty-one thousand seven hundred eighty square feet) or more of land.*

B. Those fill and grading activities proposed to be undertaken in conjunction with a land use application, including but not limited to subdivisions, planned unit developments, partitions and site plan reviews, are subject to the standards of this chapter. However, a separate grading permit is not required. Approval of the

construction plans submitted through the land use application process shall constitute the grading permit required under this chapter.

Finding: Not applicable. No grading activity is proposed or required. Fill and grading activities will need to be proposed in conjunction with subsequent DDP. The entirety of this chapter is not applicable at this time.

15.48.040 - Grading permit exemptions.

The following filling and grading activities shall not require the issuance of a grading permit:

A. Excavation for utilities, or for wells or tunnels allowed under separate permit by other governmental agencies;
 B. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. The placement of any fill material removed from such an excavation requires a grading permit if:

1. It exceeds fifty cubic yards,
2. More than ten cubic yards are removed from the site, or
3. The fill is placed on the site to a depth greater than one foot;

C. Farming practices as defined in ORS 30.930 and farm uses as defined in ORS 215.203, except that buildings associated with farm practices and farm uses are subject to the requirements of this chapter;

D. Excavation for cemetery graves;

E. Sandbagging, diking, ditching, filling or similar work when done to protect life or property during an emergency;

F. Repaving of existing paved surfaces that does not alter existing drainage patterns;

G. Maintenance work on public roads performed under the direction of the city, Clackamas County or Oregon State Department of Transportation personnel.

Finding: Not Applicable. The application does not qualify for an exemption.

15.48.090 Submittal requirements.

An engineered grading plan or an abbreviated grading plan shall be prepared in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards whenever a city approved grading permit is required. In addition, a geotechnical engineering report and/or residential lot grading plan may be required pursuant to the criteria listed below.

A. Abbreviated Grading Plan. The city shall allow the applicant to submit an abbreviated grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards if the following criteria are met:

1. No portion of the proposed site is within the flood management area overlay district pursuant to [Chapter 17.42](#), the unstable soils and hillside constraints overlay district pursuant to [Chapter 17.44](#), or a water quality resource area pursuant to [Chapter 17.49](#); and

CHAPTER 16.12 – MINIMUM PUBLIC IMPROVEMENTS AND DESIGN STANDARDS FOR DEVELOPMENT

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 development; 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: Not Applicable. No modification has been requested.

2. The modification provides safe and efficient movement of pedestrians, motor vehicles, bicyclists and freight;

Finding: Not Applicable. No modification has been requested.

3. The modification is consistent with an adopted transportation or utility plan; and

Finding: Not Applicable. No modification has been requested.

4. The modification is complementary with a surrounding street design; or, in the alternative;

Finding: Not Applicable. No modification has been requested.

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 modification has been requested.

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.*

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: Complies as conditioned. Each individual phase of the master plan shall submit or address all items in section 16.12.014 of the Oregon City Municipal Code based on the timing requirements contained therein and as deemed applicable by the City.

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

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 as conditioned. The development is adjacent to several city Transportation System Plan projects and must fulfil the following projects. The development is also adjacent to Regional Trail R1 identified in the Oregon City Trails Master Plan. Project C1 of the Transportation System Plan (TSP) shall be completed with completion of the RV Park located on the south side of Main Street. TSP projects S1 and W2 shall be completed when the master plan completes more than 75% of the master plan.

S1 – Shared-Use Path (this path will fulfill a portion of Regional Trail R1): Add a 10-foot-wide (or wider) shared-use path on the north side of the Main Street which connects to the pedestrian path for the park.

W2 – Main Street Sidewalk Infill. (A shared-use path added per project S1 may fulfill a portion of this): Construction sidewalk along the frontage of the development properties (along Main Street and Clackamette Drive).

C1 – Clackamette Drive Crossing. Provide an ADA compliant crosswalk (including ADA compliant curb ramps) and pedestrian activated signal from Clackamette Park overflow lot to the Clackamette Park entrance.

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.

	<i>Industrial</i>	118 ft.	86 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	7 ft.	(5) 12 ft. Lanes	N/A
	<i>Residential</i>	100 ft.	68 ft.	0.5 ft.	5 ft.	10.5 ft.	6 ft.	7 ft.	(3) 12 ft. Lanes	6 ft.

<i>Road Classification</i>	<i>Comprehensive Plan Designation</i>	<i>Right-of-Way Width</i>	<i>Pavement Width</i>	<i>Public Access</i>	<i>Sidewalk</i>	<i>Landscape Strip</i>	<i>Bike Lane</i>	<i>Street Parking</i>	<i>Travel Lanes</i>	<i>Median</i>
<i>Collector</i>	<i>Mixed Use, Commercial or Public/Quasi Public</i>	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
	<i>Industrial</i>	88 ft.	62 ft.	0.5 ft.	5 ft.	7.5 ft.	6 ft.	7 ft.	(3) 12 ft. Lanes	N/A
	<i>Residential</i>	85 ft.	59 ft.	0.5 ft.	5 ft.	7.5 ft.	6 ft.	7 ft.	(3) 11 ft. Lanes	N/A

<i>Road Classification</i>	<i>Comprehensive Plan Designation</i>	<i>Right-of-Way Width</i>	<i>Pavement Width</i>	<i>Public Access</i>	<i>Sidewalk</i>	<i>Landscape Strip</i>	<i>Bike Lane</i>	<i>Street Parking</i>	<i>Travel Lanes</i>	<i>Median</i>
<i>Local</i>	<i>Mixed Use, Commercial or Public/Quasi Public</i>	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
	<i>Industrial</i>	60 ft.	38 ft.	0.5 ft.	5 ft.	5.5 ft.	(2) 19 ft. Shared Space		N/A	
	<i>Residential</i>	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 as conditioned. Roads along the frontage of the development are improved to city requirements (automobile travel lanes and bike lanes are present) but there are gaps in sidewalk along the frontage of the development. Main Street and Clackamette Drive are functionally classified as “Collector” roads and the development property is zoned “Mixed Use or Institutional”. Construction of sidewalk gaps can be fulfilled by meeting requirements stated in findings from 16.12.015. Zoning designation of the development property requires placement of street trees in 5’x5’ but this may not be viable due to site topography along the existing roadway. Street trees shall be placed in 5’x5’ tree wells or in other acceptable locations, as prescribed by OCMC 12.08. Tree wells, if utilized, shall not encroach into the 10-foot-wide pedestrian path required along the frontage of the development. The Detailed Development Plan (DDP) proposed with this master plan shall provide 10-foot-wide sidewalk with 5’x5’ tree wells along the west side of Clackamette Drive or provide an ADA compliant 10-foot-wide (or wider) shared use path which provides pedestrian connectivity between Main Street and Clackamette Drive (this path will also fulfill Regional Trail R1).

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: See findings from 16.12.016 regarding required sidewalks.

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: See findings from 16.12.016 regarding required Pedestrian and Bicycle Accessways Routes.

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: See findings from 16.12.015 regarding required traffic control devices.

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: Complies as conditioned. The DDPs proposed with this master plan shall provide street lights along all street frontages in conformance with all City standards, specifications, codes, and policies and as approved by Portland General Electric (PGE). The applicant shall submit photometric plans for DDPs. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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: Not Applicable. A new street with a pavement width of less than thirty-two feet has not been proposed.

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: See section 12.08 regarding placement of street trees.

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: Not Applicable. The decision maker has not approved access easements in lieu of streets nor has dedication of a street been deemed impracticable.

H. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.

Finding: Not Applicable. No vehicular or pedestrian easements are proposed.

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: Not Applicable. No new streets with access control are required.

B. The City may grant a permit for the adjoining owner to access through the access control.

Finding: Not Applicable. No new streets with an access control are required.

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: Not Applicable. No new streets with access control are required.

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: Not Applicable. No new streets with access control are required.

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 as Proposed. The proposed street alignments conceptually meet the City requirements.

16.12.019 - Traffic sight obstructions.

All new streets shall comply with the Traffic Sight Obstructions in Chapter 10.32.

Finding: Not applicable. No new streets are proposed.

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: Not Applicable. No new intersections are being created and existing intersections meet city standards.

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.

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: Not Applicable. The development does not abut or create an arterial or collector street.

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: Not Applicable. The development does not require a street design that discourages use by non-local traffic. The City Engineer has not required 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.

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: Not Applicable. This application does not propose any half streets.

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: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

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: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

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: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

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: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

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: Not Applicable. No cul-de-sacs or dead-end streets are proposed or required for this development.

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: Not Applicable. Alleys are not proposed or required for this development.

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: Not Applicable. Off-site street improvements are not proposed or required for this development.

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 as Proposed. No new streets are required or proposed and the existing streets adjacent to the development are laid out in a manner that promotes pedestrian and bicycle circulation.

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: Not applicable. Excavation or pavement cuts are not proposed with the masterplan. Subsequent DDPs will be subject to this code section if excavation or pavement cuts are proposed within existing or future streets.

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: Not applicable. The development property is a park and it is bordered by rivers on all but one side. Any through connection created by a street will provide connectivity between adjacent properties.

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: Not applicable. No new street is required or proposed.

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: See findings from 16.12.015 & 16.12.015 regarding off-street pedestrian and bicycle accessways.

A. Entry points shall align with pedestrian crossing points along adjacent streets and with adjacent street intersections.

Finding: Complies as conditioned. Entry points for accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall align with pedestrian crossing points along adjacent streets and with adjacent street intersections. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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 conditioned. The width of the accessways will be dictated by the requirements of the TSP and the Oregon City Trails Master Plan for Regional Trail. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall be free of horizontal obstructions and have a nine foot six inch high vertical clearance to accommodate bicyclists. See 16.12.015 & 16.12.015 for other dimensional requirements for the accessway. **Staff**

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

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: Not applicable. The accessway may be located within an area with large trees and vegetation which could obstruct visibility of the accessway from end points.

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 conditioned. Accessway (sidewalks & shared-use paths relating to TSP S1 & W2) lighting shall be 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. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

E. Accessways shall comply with Americans with Disabilities Act (ADA).

Finding: Complies as conditioned. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall comply with Americans with Disabilities Act (ADA). **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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.*

Finding: Not applicable. The development is a park property and will have vegetation throughout the site.

G. Accessways shall be designed to prohibit unauthorized motorized traffic. Curbs and removable, lockable bollards are suggested mechanisms to achieve this.

Finding: Complies as Proposed. Accessways (sidewalks & shared-use paths relating to TSP S1 & W2) shall be designed to prohibit unauthorized motorized traffic (E.G. curbs, removable bollards or equal). **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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.

Finding: Complies as Proposed. Accessway (sidewalks & shared-use paths relating to TSP S1 & W2) surfaces shall be paved with all-weather materials as approved by the City. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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.

Finding: Not Applicable. The path must be ADA compliant.

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.

Finding: Not Applicable. No alternative design has been proposed for pedestrian and bicycle accessways.

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 conditioned. The applicant shall provide a covenant over the pedestrian and bicycle accessways which are not part of an existing or proposed public right-of-way and be responsible for the future maintenance and liability. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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 Thoroughway 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 Thoroughway 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.

Finding: Complies as conditioned. The applicant seeks development approval for a master plan. Although the project does not directly front McLoughlin Boulevard, transportation activities at the park may impact McLoughlin Boulevard due to its close proximity to the McLoughlin Boulevard & Dunes Drive intersection. McLoughlin Boulevard is under the jurisdiction of the Oregon Department of Transportation. Detailed development plan (DDPs) associated with this master plan shall demonstrate compliance with intersection mobility standards per 16.12.033. If there are adverse impacts to the McLoughlin Boulevard & Dunes Drive intersection, future DDPs shall coordinate the Oregon Department of Transportation for a remedy.

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

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. There is an existing driveway on the property south of the proposed RV Park. This driveway is approximately 27 feet away from the shared property line. Driveways shall meet the minimum driveway spacing standards identified in Table 16.12.035.A (specifically for Collector Streets). **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: Not applicable. The development is not a single or two family residential development.

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: Not applicable. The driveway proposed will not generate high traffic volumes.

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 proposed development shows one driveway per lot frontage.

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 proposed development fronts roads with the same classification and the preliminary plan shows one driveway per frontage.

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 with Condition. Driveways shall meet the minimum driveway width standards identified in Table 16.12.035.D. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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: Not Applicable. No restrictions are proposed by the City Engineer.

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 with Condition. Driveways shall meet standards identified in 16.12.035.H. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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.

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 sections 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: Complies with Condition. The development property is zoned institutional. The DDPs proposed with this master plan shall provide, at a minimum, a 5-foot-wide public utility easement (PUE) along all property lines fronting existing or proposed right-of-way. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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: Not applicable. New easements for unusual facilities are required for this development.

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: Applicable. The development property is within the Willamette River Greenway Overlay District & Natural Resource Overlay District. See requirements of 17.48 & 17.49.

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: Not Applicable. The application has not proposed any joint access use; therefore, no access easements are required.

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: Applicable. The development property is within the Willamette River Greenway Overlay District & Natural Resource Overlay District. See requirements of 17.48 & 17.49.

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: Commencement of improvement work is further restricted by the requirements of section 16.12.014; see section 16.12.014 of this report for associated findings.

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: Not applicable. This is a master plan application. No construction is proposed with this application. Subsequent DDPs will be evaluated for compliance with this code section.

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: See findings from section 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: Not applicable. Underground utilities are not proposed within existing or future streets with this application. Subsequent DDPs will be subject to this code section if underground utilities are proposed within existing or future streets.

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: Not applicable. The application does not involve any construction activities. The as-builts will be required for DDPs associated with this masterplan.

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: Not applicable. The application does not involve any construction activities. Hours of construction will be regulated for DDPs associated with this masterplan.

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 of curvature and points of tangency of their center line, and at such other points as directed by the City Engineer.

Finding: See findings from 16.12.015 & 16.12.016.

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: See findings from section 13.12 for the design of stormwater management facilities to serve the development.

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 as conditioned. The development does not need to improve or extend the exiting sanitary sewer infrastructure. The property and surrounding developable properties are adjacent to an existing usable sanitary sewer main. The site is currently served with a 6-inch sanitary sewer connection. The development has not proposed any changes to the existing service connection. The property contains an existing Water Environment Services (WES) sanitary main. WES is proposing a new sanitary sewer main through the property. The DDPs proposed with this master plan shall coordinate with Water Environment Services (WES) to ensure subsequent DDPs and the existing and proposed WES sanitary sewer mains are not in conflict. **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 as Conditioned. The site is currently served with a 4" cast iron service main which connects from the existing 12-inch water main that runs within Clackamette Drive. There is also an existing service line from the same 12-inch main. The property and surrounding developable properties are adjacent to an existing usable water main. The development has not proposed any changes to the existing service connections. The DDP(s) proposing water infrastructure work shall abandon the existing cast iron mains/services entering the development property per Oregon City Water Distribution System Design Standards. Water service connections shall be from the existing 12-inch ductile iron water main within Main Street or Clackamette Drive, and compliant with the Oregon City Water Distribution System Design Standards. **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: See findings from section 12.08.

F. Bench Marks. At least one bench mark shall be located within the subdivision boundaries using datum plane specified by the City Engineer.

Finding: Not applicable. The development is not a subdivision.

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. These requirements do not apply to work by a franchise utility for improvement, repair, alteration or addition to their existing systems.

Finding: Complies with Condition. There are no existing overhead utilities adjacent to the property frontage. New franchise utilities for DDPs shall be placed underground and all existing overhead utilities adjacent to the property frontage shall be relocated underground unless deemed infeasible by the City and franchise utility provider(s). **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

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: Not Applicable. No facilities are required to be oversized as part of this application.

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 section 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: Not Applicable.** The creation of a new public street is not proposed or required.

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: Not Applicable. The applicant has not proposed the creation of a public street to be established by deed without full compliance with the regulations applicable to subdivisions or partitions.

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: Not applicable. The design and construction of public streets are not proposed or required.

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: Not applicable. Construction is not proposed with this master plan. Construction proposed with subsequent DDPs will be subject to the requirements of this code section.

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 Section 17.50.140 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 Section 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: Complies with Condition. The property owner(s) shall sign a Restrictive Covenant Non-Remonstrance Agreement for the purpose of making storm sewer, sanitary sewer, water or street improvements in the future that benefit the property and all fees associated with processing and recording the Non-Remonstrance Agreement shall be paid. **Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.**

III. CONCLUSION AND RECOMMENDATION

Based on the analysis and findings above, staff concludes that the proposed Master Plan / General Development Plan for Clackamette Park located at 1955 Clackamette Drive and adjacent parcels, and identifies as Clackamas Assessor Map Parcels 2-2E-30 -00600, 2-2E-30 -00100, 2-2E-30 -00102, 2-2E-30 -00500, 2-2E-30 -00601, and 2-2E-30 -01300, can meet the requirements of 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:

1. Application (On File)
2. Public Comments (On File)
3. Agency Comments (On File)



LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)

- ☐ Compatibility Review
- ☐ Lot Line Adjustment
- ☐ Non-Conforming Use Review
- ☐ Natural Resource (NROD) Verification
- ☐ Site Plan and Design Review
- ☐ Extension of Approval

Type II (OCMC 17.50.030.B)

- ☐ Detailed Development Review
- ☐ Geotechnical Hazards
- ☐ Minor Partition (<4 lots)
- ☐ Minor Site Plan & Design Review
- ☐ Non-Conforming Use Review
- ☐ Site Plan and Design Review
- ☐ Subdivision (4+ lots)
- ☐ Minor Variance
- ☐ Natural Resource (NROD) Review

Type III / IV (OCMC 17.50.030.C)

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

File Number(s): _____

Proposed Land Use or Activity: This is the General Development Plan application for the Master Plan of Clackamette Park.

Project Name: Clackamette Park Master Plan Number of Lots Proposed (If Applicable): no change

Physical Address of Site: 1955 Clackamette Drive Oregon City, OR 97045

Clackamas County Map and Tax Lot Number(s): 2-2E-30 -00600, 2-2E-30 -00100
2-2E-30 -00102, 2-2E-30 -00500
2-2E-30 -00601, 2-2E-30 -01300

Applicant(s):

Applicant(s) Signature: Brian Martin

Applicant(s) Name Printed: Brian Martin Date: 4.18.2023

Mailing Address: 1100 NW Glisan Street, Ste 3a

Phone: (503) 553-9242 Fax: _____ Email: brian@langohansen.com

Property Owner(s):

Property Owner(s) Signature: Kendall Reid

Property Owner(s) Name Printed: Kendall Reid Date: 4.18.2023

Mailing Address: 625 Center Street, Oregon City 97045

Phone: (503) 496 1546 Fax: (503) 657-7026 Email: kendallreid@orc.org

Representative(s):

Representative(s) Signature: Brian Martin

Representative (s) Name Printed: Brian Martin Date: 3.23.2023

Mailing Address: 1100 NW Glisan Street, Ste 3a

Phone: (503) 553-9242 Fax: _____ Email: brian@langohansen.com

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

TYPE II –SITE PLAN AND DESIGN REVIEW**Applicant's Submittal***Date 4.1.2023*

APPLICANT: Kurt Lango
1100 NW Glisan St., Ste 3a
Portland, OR 97209

OWNER: Kendall Reid
625 Center St.
Oregon City, Oregon 97045

REQUEST: Several key park amenities are in need of upgrades or replacement, including the boat ramp, RV park, restroom building and the pedestrian trail system. Planning efforts for the repair work provided the opportunity to reassess the condition of the park as a whole. Given the size of the park and level of improvements being proposed, a master plan will be required for Clackamette Park. This is a General Development master plan narrative and application.

LOCATION: **1955 Clackamette Dr, Oregon City, OR 97045**
Map Number: 22E30
Tax Lot Numbers: 22E30 -00600, 22E30 -00102, 22E30 -00100, 22E30 -01300

I. BACKGROUND:

- 1. Existing Conditions:**
Clackamette park is a 27 acre charter park situated at the confluence of the Willamette and Clackamas Rivers. It is Oregon City's only park designated as a regional park and due to the park location and types of facilities located on the property it sees heavy use from residents of Oregon City and people throughout the region. Facilities at the site include an RV Park, playground area, shelter structures, horseshoe pits, picnic areas a boat ramp, a skate park, an RV dump station, pathways, a restroom building and parking facilities for both cars and vehicles with trailers.
- 2. Project Description:**
Given its location and amenities, Clackamette Park has long been a well loved park, central to the community and a draw to the wider region. Because of general usage and ever evolving usage trends, several key amenities of the park were in need of upgrades or replacement, including the boat ramp, RV park, restroom building and pedestrian trail system. Oregon City Parks conducted an extensive outreach campaign to solicit input on the future of the park. Specific improvements to Clackamette Park that are included in this master plan include reorienting the main park entry, upgrades to site pedestrian and vehicular circulation, parking, a new boat launch facility, upgrading the existing boat launch facility to serve human powered craft, a new play area and large flexible open lawn spaces. Improvements also include relocating the RV park out of the flood plain, upgrading the restroom facilities, expanding the

existing skate park, sport courts, art installations and extensive habitat restoration that includes plantings of trees, shrubs and ground cover.

Municipal Code Standards and Requirements: The following sections of the Oregon City Municipal Code are applicable to this land use approval:

Chapter 12.08 - Public And Street Trees
 Chapter 13.12 Stormwater Management
 Chapter 15.48 - Grading, Filling And Excavating
 Chapter 16.12 Minimum Public Improvements And Design Standards For Development
 Chapter 17.20 Accessory Dwelling Unit, Cluster Housing, Internal Conversion, Live/Work Dwelling, And Manufactured Home Park Design Standards
 Chapter 17.29 Muc Mixed Use Corridor District
 Chapter 17.40 - Historic Overlay District
 Chapter 17.41 Tree Protection, Preservation, Removal And Replanting Standards
 Chapter 17.44 - Us—Geologic Hazards
 Chapter 17.50 Administration And Procedures
 Chapter 17.52 Off-Street Parking And Loading
 Chapter 17.54 Supplemental Zoning Regulations And Exceptions
 Chapter 17.60 Variances
 Chapter 17.62 Site Plan And Design Review

The City Code Book is available on-line at www.orcity.org.

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.

REQUIRED CODE RESPONSES:

CHAPTER 17.39 I INSTITUTIONAL DISTRICT

17.39.020 - Permitted uses.

Permitted uses in the institutional district are:

- A. Private and/or public educational or training facilities;*
- B. Parks, playgrounds, playfields and community or neighborhood community centers;*
- C. Public facilities and services including courts, libraries and general government offices and maintenance facilities;*
- D. Stadiums and arenas;*
- E. Banquet, conference facilities and meeting rooms;*
- F. Government offices;*
- G. Transportation facilities;*
- H. Mobile food units.*

Applicant's Response: The site is currently used as a park and will continue to be used as a park. This usage type is permitted outright in the institutional district.

17.39.030 - Accessory uses.

The following uses are permitted outright if they are accessory to and related to the primary institutional use:

- A. *Offices;*
- B. *Retail (not to exceed twenty percent of total gross floor area of all building);*
- C. *Child care centers or nursery schools;*
- D. *Scientific, educational, or medical research facilities and laboratories;*
- E. *Religious institutions.*

Applicant's Response: None of the above uses are being proposed in the park master plan, therefore this question does not apply.

17.39.040 - Conditional uses.

Uses requiring conditional use permit are:

- A. *Any uses listed under OCMC 17.39.030 that are not accessory to the primary institutional use;*
- B. *Boarding and lodging houses, bed and breakfast inns;*
- C. *Cemeteries, crematories, mausoleums, and columbariums;*
- D. *Correctional facilities;*
- E. *Helipad in conjunction with a permitted use;*
- F. *Parking lots not in conjunction with a primary use;*
- G. *Public utilities, including sub-stations (such as buildings, plants and other structures);*
- H. *Fire stations;*
- I. *Police Station.*

Applicant's Response: None of the above uses are being proposed in the park master plan, therefore this question does not apply.

17.39.045 - Prohibited uses.

Prohibited uses in the I district are:

- A. *Any use not expressly listed in OCMC 17.39.020, 17.39.030 or 17.39.040;*
- B. *Marijuana businesses;*

Applicant's Response: None of the above uses are being proposed in the park master plan, therefore this question does not apply.

17.39.050 - Dimensional standards.

Dimensional standards in the I district are:

- A. *Maximum building height: Within one hundred feet of any district boundary, not to exceed thirty-five feet; elsewhere, not to exceed seventy feet.*

Applicant's Response: The restroom facility and the picnic shelters are the only structures proposed for the park. These structures will not exceed thirty-five feet.

- B. *Minimum required setbacks: Twenty-five feet from property line except when the development is adjacent to a public right-of-way. When adjacent to a public right-of-way, the minimum setback is zero feet and the maximum setback is five feet.*

Applicant's Response: All buildings on the park will be set back a minimum of 15 feet from the property line and maximum of 5 feet from the public right-of-way.

C. Minimum required landscaping (including landscaping within a parking lot): Fifteen percent.

Applicant's Response: The park development will consist of significant planting areas and lawn. More than 50% of the site will be landscaped, including landscaping within the parking lot.

17.39.060 - Relationship to master plan.

- A. *A master plan is required for any development within the I District on a site over ten acres in size that:*
- 1. Is for a new development on a vacant property;*
 - 2. Is for the redevelopment of a property previously used as a non-institutional use; or*
 - 3. Increases the floor area of the existing development by ten thousand square feet over existing conditions*

Applicant's Response: This project is for the redevelopment of a site that is over ten acres in size. A master plan is required under section 17.65.030.

- B. *Master plan dimensional standards that are less restrictive than those of the Institutional District require adjustments. Adjustments will address the criteria of OCMC 17.65.70 and will be processed concurrently with the master plan application.*

Applicant's Response: No dimensional standard adjustments are being pursued at this time. Adjustments may be pursued when the Detailed Development Plan is submitted.

- C. *Modifications to other development standards in the code may be made as part of the phased master plan adjustment process. All modifications shall be in accordance with the requirements of the master plan adjustment process identified in OCMC 17.65.070.*

Applicant's Response: Modifications are not being requested as a part of this master plan so these standards do not apply to the development.

CHAPTER 17.41 TREE PROTECTION, PRESERVATION, REMOVAL AND REPLANTING STANDARDS

17.41.020 - Tree protection—Applicability.

- 1. Applications for development subject to OCMC 16.08 (Land Divisions) or OCMC 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments. Compliance with this chapter is required from the date a land use application is filed until a land division is recorded or other development approval is final.*
- 2. For public capital improvement projects, the City Engineer shall demonstrate compliance with these standards pursuant to a Type I process.*
- 3. Tree canopy removal greater than twenty-five percent on areas with greater than twenty-five percent slope, unless exempted under OCMC 17.41.040, shall be subject to these standards.*
- 4. A heritage tree or grove which has been designated pursuant to the procedures of OCMC 12.32 shall be subject to the standards of this section.*
- 5. A tree that has been planted pursuant to this section shall remain or shall be replaced with a new tree if removed.*

Applicant's Response: A full site tree protection plan will be included with the detailed development plan as outlined in 17.65.050. There are no heritage trees or groves on the subject site.

17.41.030 - Tree protection—Conflicting code provisions.

Except as otherwise specified in this section, where these standards conflict with adopted city development codes or policies, the provision which provides the greater protection for regulated trees or groves, as defined in OCMC 17.04, shall govern.

Applicant's Response: The development will pursue the provision that provides the greater protection for regulated trees or groves, as defined in OCMC 17.04.

17.41.040 - Exemptions.

These regulations are not intended to regulate normal cutting, pruning and maintenance of trees on private property except where trees are located on lots that are undergoing development review or are otherwise protected within the Natural Resource Overlay District (NROD) of OCMC 17.49. These standards are not intended to regulate farm and forest practices as those practices are defined under ORS 30.930, for farm or forestlands. These regulations do not apply to the removal of trees that are considered invasive species. An applicant for development may claim exemption from compliance with these standards if the development site containing the regulated grove or trees was a designated farm or forest use, tree farm, Christmas tree plantation, or other approved timber use within one year prior to development application. "Forest practices" and "forestlands" as used in this subsection shall have the meaning as set out in ORS 30.930. The Community Development Director has the authority to modify or waive compliance in this case.

Applicant's Response: The applicant acknowledges the exemptions outlined in 17.41.040.

17.41.050 - Compliance options.

Applicants for review shall comply with these requirements through one or a combination of the following procedures:

- A. Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to OCMC 17.41.060.*
- B. Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to OCMC 17.41.080; or*
- C. Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to OCMC 17.41.110; or*
- D. Option 4—Cash-in-lieu of planting pursuant to OCMC 17.41.120.*

Applicant's Response: The development will pursue option 1 – mitigation which includes the retention and removal of trees as outlined in OCMC 17.41.060.

17.41.060 - Tree removal and replanting—Mitigation (Option 1).

- A. Applicants for development who select this option shall ensure that all healthy trees shall be preserved outside the construction area as defined in OCMC 17.04 to the extent practicable. Preserved trees are subject to Option 3 of this Chapter. Compliance with these standards shall be demonstrated in a tree mitigation plan report prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arboriculture. Tree inventories for the purposes of mitigation calculations may be prepared by a licensed surveyor. At the applicant's expense, the City may require the report to be reviewed by a consulting arborist. The number of replacement trees required on a development site shall be calculated separately from, and in addition to, any public or street trees in the public right-of-way required under OCMC 12.08—Public and Street Trees, any required tree planting in parking lots, and any trees planted in pedestrian and bicycle accessways.*

Applicant's Response: All healthy trees outside the construction area will be preserved to the extent practicable. A tree mitigation plan will be prepared by a qualified professional.

- B. The applicant shall determine the number of trees to be mitigated on the site by counting all of the trees six-inch DBH (minimum four and one-half feet from the ground) or larger on the entire site and either:*
 - 1. Trees that are removed outside of the construction area shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2; or*
 - 2. Dying, diseased or hazardous trees, when the condition is verified by a certified arborist to be consistent with the definitions in OCMC 17.04, may be removed from the tree replacement*

calculation. Dead trees may also be removed from the calculation, with the condition of the tree verified either by the Community Development Director or by a certified arborist at the applicant's expense, when the Community Development Director cannot make a determination. To the extent that the Community Development Director determines that the dead, dying, hazardous or diseased condition of the tree is the result of intentional action, the removal of that tree shall require mitigation pursuant to Column 2 of Table 17.41.060-1.

Applicant's Response: Specific trees to be removed will be determined as a part of the detailed development plan. All trees requiring mitigation will be mitigated onsite as a part of the park development.

Table 17.41.060-1
Tree Replacement Requirements

Size of tree removed (DBH)	Column 1 <i>Number of trees to be planted. (If removed Outside of construction area)</i>	Column 2 <i>Number of trees to be planted. (If removed Within the construction area)</i>
6 to 12"	3	1
13 to 18"	6	2
19 to 24"	9	3
25 to 30"	12	4
31 and over"	15	5

Steps for calculating the number of replacement trees:

1. Count all trees measuring six inches DBH (minimum four and one-half feet from the ground) or larger on the entire development site.
2. Designate the size (DBH) of all trees pursuant to accepted industry standards.
3. Document in a certified arborist report any trees that are currently dead, dying, diseased or hazardous.
4. Subtract the number of dead, dying, diseased or hazardous trees in step 3 from the total number of trees on the development site in step 1. The remaining number is the number of healthy trees on the site. Use this number to determine the number of replacement trees in steps 5 through 8.
5. Identify the construction area (as defined in OCMC 17.04.230).
6. Determine the number and diameter of trees to be removed within the construction area. Based on the size of each tree, use Column 2 to determine the number of replacement trees required.
7. Determine the number and diameter of trees to be removed outside of the construction area. Based on the size of each tree, use Column 1 to determine the number of replacement trees required.
8. Determine the total number of replacement trees from steps 6 and 7.

Applicant's Response: Specific trees to be removed will be determined as a part of the detailed development plan. All trees requiring mitigation will be mitigated onsite as a part of the park development.

Please complete the Table below for trees being removed based on the Tree Replacement Requirements in Table 17.41.060-1

Size of tree removed (DBH)	Number of Trees Removed Outside of Construction Area	Number of Trees Removed Within the Construction area	Number of Mitigation Trees Required (See Table 17.41.060-1)
6 to 12"			
13 to 18"			
19 to 24"			
25 to 30"			
31 and over"			

C. Planting area priority for mitigation.

Development applications which opt for removal of trees with subsequent replanting pursuant to OCMC 17.41.050.A. shall be required to mitigate for tree cutting by complying with the following priority for replanting standards below:

- 1. First Priority. Replanting on the development site.*
- 2. Second Priority. Off-site replacement tree planting locations. If the Community Development Director determines that it is not practicable to plant the total number of replacement trees on-site, a suitable off-site planting location for the remainder of the trees may be approved that will reasonably satisfy the objectives of this section. Such locations may include either publicly owned or private land and shall be approved by the Community Development Director.*

Applicant's Response: The above table will be completed as a part of the detailed development plan.

D. Replacement tree planting standards.

- 1. All replacement trees shall be either two-inch caliper deciduous or six-foot high conifer.*

Applicant's Response: All replacement trees will be planted onsite and will be either two-inch caliper deciduous or six-foot high conifer

- 2. Replacement tree species shall be approved by a landscape architect or certified arborist or shall be found on the City's Native Plant or Street Tree lists.*

Applicant's Response: All replacement tree species shall be approved by a landscape architect.

- 3. Due to their diminishing range in the region, Oregon white oak (Quercus garryana) trees, if removed, shall be replaced by the same species.*

Applicant's Response: It is not expected that any Oregon white oak will be removed from the park by this development. If any Oregon white oak are removed, they will be replaced by the same species.

- E. All existing tree(s) in the tract shall be protected by a permanent restrictive covenant or easement approved in form by the City.*

Applicant's Response: The applicant confirms that all existing trees in the tract shall be protected by a permanent restrictive covenant or easement as approved by the City.

F. Alternative mitigation plan.

The Community Development Director may, subject to a Type II procedure, approve an alternative mitigation plan that adequately protects habitat pursuant to the standards for the Natural Resource Overlay District alternative mitigation plan in OCMC 17.49.190.

Applicant's Response: The applicant acknowledges an alternate mitigation plan that adequately protects habitat may be approved by the Community Development Director.

17.41.080 - Tree preservation within subdivisions and partitions—Dedicated tract (Option 2).

- A. *An applicant for a new subdivision and partition may delineate and show the regulated trees or groves as either a separate tract or part of a larger tract that meets the requirements of subsection D. of this section. All existing tree(s) in the tract shall be protected by a permanent restrictive covenant or easement approved in form by the City*
- B. *The standards for land divisions subject to this section shall apply in addition to the requirements of the City land division ordinance and zoning ordinance, provided that the minimum lot area, minimum average lot width, and minimum average lot depth standards of the base zone may be superseded in order to allow for a reduction of dimensional standards pursuant to OCMC 17.41.080.F below.*
- C. *Prior to preliminary plat approval, the regulated tree or grove area shall be shown either as a separate tract or part of a larger tract that meets the requirements of subsection D. of this section, which shall not be a part of any parcel used for construction of a dwelling. The size of the tract shall be the minimum necessary as recommended by a consulting arborist to adequately encompass the dripline of the tree, protect the critical root zone and ensure long term survival of the tree or grove.*
- D. *Prior to final plat approval, ownership of the regulated tree or grove tract shall be identified to distinguish it from lots intended for sale. The tract may be identified as any one of the following:*
 - 1. *Private open space held by the owner or a homeowner's association; or*
 - 2. *For residential land divisions, private open space 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; or*
 - 3. *Public open space where the tract has been dedicated to the City or other governmental unit; or*
 - 4. *Any other ownership proposed by the owner and approved by the Community Development Director.*
- E. *Density transfers incentive for tree protection tracts.*
 - 1. *The purpose of this section is to allow dimensional adjustments within a regulated tree protection tract to be transferred outside said tract to the remainder of the site. Density shall not be transferred beyond the boundaries of the development site.*
 - 2. *Development applications for subdivisions and minor partitions that request a density transfer shall:*
 - a. *Provide a map showing the net buildable area of the tree protection tract;*
 - b. *Provide calculations justifying the requested dimensional adjustments;*
 - c. *Demonstrate that the minimum lot size requirements can be met based on an average of all lots created, including the tree protection tract created pursuant to this section;*
 - d. *Demonstrate that, with the exception of the tree protection tract, no parcels have been created which would be unbuildable in terms of minimum yard setbacks;*
 - e. *Meet all other standards of the base zone except as modified in this section.*
 - 3. *The area of land contained in a tree protection tract may be excluded from the calculations for determining compliance with minimum density requirements of the zoning code.*
- F. *Permitted modifications to dimensional standards.*
 - 1. *An applicant proposing to protect trees in a dedicated tract may request, and the Community Development Director, pursuant to a Type II procedure, may grant a reduction to, the lot size, width, depth, and setbacks of the underlying zone district in approving a subdivision or partition if necessary to retain a regulated tree or grove in a tract, as long as the calculation of average lot size, including tree protection tracts, meet the minimum lot size for the zone. The applicant may choose to make the adjustments over as many lots as required. For example, the lot reduction could be spread across all*

the remaining lots in the proposed subdivision or partition or could be applied to only those needed to incorporate the area of the tree tract.

Table 17.41.080.A
Lot Size Reduction

ZONE	Min. Lot Size [sq. feet]	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 17.41.080.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 17.41.080.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

Applicant's Response: This development does not include a new subdivision, land division, density transfers or modifications to dimensional standards, therefore this criteria does not apply to the development.

17.41.110 - Tree protection by restrictive covenant (Option 3).

Any regulated tree or grove which cannot be protected in a tract pursuant to Section 17.41.080 above shall be protected with a restrictive covenant in a format to be approved by the Community Development

Director. Such covenant shall be recorded against the property deed and shall contain provisions to permanently protect the regulated tree or grove unless such tree or grove, as determined by a certified arborist and approved by the Community Development Director, are determined to be diseased or hazardous.

Applicant's Response: The development site does not contain any regulated trees or groves, therefore this standard does not apply to the development.

A. Permitted adjustments.

- 1. The Community Development Director, pursuant to a Type II procedure, may grant an adjustment to the side, front and rear yard setback standards by up to fifty percent if necessary to retain a Regulated Tree or Grove through a restrictive covenant pursuant to this section. In no case may the side yard setback be reduced to less than three feet. The adjustment shall be the minimum necessary to accomplish preservation of trees on the lot and shall not conflict with other conditions imposed on the property.*
- 2. The City Engineer may grant an adjustment to street standards, pursuant to adopted public works standards, in order to preserve a tree. This may include flexibility to redesign sidewalk and planter strip sizes and locations and allow placement of sidewalks and planter strips in an easement within private lots.*
- 3. The Community Development Director, pursuant to a Type II procedure, may allow other adjustments in order to preserve any healthy tree that cannot be moved due to its size, but will contribute to the landscape character of the area and will not present a foreseeable hazard if retained.*

Applicant's Response: The applicant does not expect to pursue any of the three above permitted adjustments, therefore these standards are not applicable to the development.

17.41.120 - Cash-in-lieu of planting (Option 4).

The applicant may choose this option in-lieu-of or in addition to Compliance Options 1 through 3. In this case, the Community Development Director may approve the payment of cash-in-lieu into a dedicated fund for the remainder of trees that cannot be replanted in the manner described above.

The cash-in-lieu payment per required mitigation tree shall be as listed on the adopted fee schedule and shall be adjusted annually based on the Consumer Price Index. The price shall include 150% of the cost of materials, transportation and planting.

Applicant's Response: The applicant is not planning to pursue an in-lieu-of option, therefore these standards do not apply to the development.

17.41.130 - Regulated tree protection procedures during construction.

- A. *No permit for any grading or construction of public or private improvements may be released prior to verification by the Community Development Director that regulated trees designated for protection or conservation have been protected according to the following standards. No trees designated for removal shall be removed without prior written approval from the Community Development Director.*
- B. *Tree protection shall be as recommended by a qualified arborist or, as a minimum, to include the following protective measures:*
 - 1. *Except as otherwise determined by the Community Development Director, all required tree protection measures set forth in this section shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and such measures shall be removed only after completion of all construction activity, including necessary landscaping and irrigation installation, and any required plat, tract, conservation easement or restrictive covenant has been recorded.*
 - 2. *Approved construction fencing, a minimum of four feet tall with steel posts placed no farther than ten feet apart, shall be installed at the edge of the tree protection zone or dripline, whichever is greater. An alternative may be used with the approval of the Community Development Director.*
 - 3. *Approved signs shall be attached to the fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the Community Development Director.*
 - 4. *No construction activity shall occur within the tree protection zone, including, but not limited to; dumping or storage of materials such as building supplies, soil, waste items; nor passage or parking of vehicles or equipment.*
 - 5. *The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run-off.*
 - 6. *No excavation, trenching, grading, root pruning or other activity shall occur within the tree protection zone unless directed by an arborist present on site and approved by the Community Development Director.*
 - 7. *No machinery repair or cleaning shall be performed within ten feet of the dripline of any trees identified for protection.*
 - 8. *Digging a trench for placement of public or private utilities or other structure within the critical root zone of a tree to be protected is prohibited. Boring under or through the tree protection zone may be permitted if approved by the Community Development Director and pursuant to the approved written recommendations and on-site guidance and supervision of a certified arborist.*
 - 9. *The Community Development Director may require that a certified arborist be present during any construction or grading activities that may affect the dripline of trees to be protected.*

10. *The Community Development Director may impose conditions to avoid disturbance to tree roots from grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist.*
- C. *Changes in soil hydrology due to soil compaction and site drainage within tree protection areas shall be avoided. Drainage and grading plans shall include provision to ensure that drainage of the site does not conflict with the standards of this section. Excessive site run-off shall be directed to appropriate storm drainage facilities and away from trees designated for conservation or protection.*
- Applicant's Response: Throughout the entirety of the construction phase, the development will implement all of the required tree protection measures as outlined above and as specified in 17.141.30.**

CHAPTER 17.42 FLOOD MANAGEMENT OVERLAY DISTRICT

17.42.020 - Applicability.

A. *This chapter shall apply to development in the flood management overlay district, which may also be referred to as the "floodplain overlay district" in this code. The flood management overlay district includes all areas of special flood hazards and all flood management areas within the city. The overlay district restricts the uses that are allowed in the base zone by right, with limitations, or as provisional uses.*

B. *The flood management areas which have been mapped include the following locations:*

1. *Land contained within the one hundred-year floodplain, flood area and floodway as shown on the Federal Emergency Management Agency flood insurance maps dated June 17, 2008, including areas of special flood hazard pursuant to [Section 17.42.040](#) and the area of inundation for the February 1996 flood; and*
2. *Lands that have physical or documented evidence of flooding within recorded history based on aerial photographs of the 1996 flooding and/or the water quality and flood management areas maps.*

C. *The standards that apply to the flood management areas apply in addition to state or federal restrictions governing floodplains or flood management areas.*

Applicant's Response: The park project site is located in the Flood Management Overlay District and will follow all of the outlined requirements.

17.42.040 - Compliance.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of these floodplain regulations and other applicable regulations. Violations of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a civil infraction. Any person who violates this chapter or fails to comply with any of its requirements shall be subject to the enforcement procedures of this code per OCMC [1.20](#) Civil Infractions and [1.24](#) Code Enforcement. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy.

Applicant's Response: All structures included in the park development will be in full compliance with the terms of the floodplain regulations and other applicable regulations.

17.42.060 - Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flooding damages. This chapter shall not create liability on the part of the city, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

Applicant's Response: The applicant acknowledges the natural risk of flooding at the park site.

17.42.080 - Administration.

This chapter establishes a flood management overlay district, which is delineated on the water quality and flood management areas map attached and incorporated by reference as a part of this document.

A. The following maps and studies are adopted and declared to be a part of this chapter. These maps are on file in the office of the city recorder:

- 1. The Water Quality and Flood Management Areas Map, dated June 7, 1999;*
- 2. The Federal Insurance Administration, Flood Insurance Rate Maps for Clackamas County, Oregon and Incorporated Areas dated June 17, 2008;*

Applicant's Response: The applicant acknowledges the flood management district and its relationship to the park site and the proposed development.

B. Applicants are required to provide the city with a delineation of the flood management areas on the subject property as part of any application. An application shall not be complete until this delineation is submitted to the city.

C. The city shall review the water quality and flood management areas maps during periodic review as required by ORS 197.633 (1997).

Applicant's Response: The delineation of the flood management area for the subject property will be included as a part of the application.

D. Development Permit.

1. A development permit shall be obtained before construction or development begins within any portion of the flood management overlay district. The permit shall be for all structures, including manufactured homes and all other development, including fill and other activities, as set forth in [Chapter 17.04](#) (Definitions).

2. Application for a development permit shall be made on forms furnished by the community development department. Requirements may include, but are not limited to: plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage materials, drainage facilities; and the location of the foregoing.

3. The following information is specifically required:

- a. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;*
- b. Elevation in relation to mean sea level to which any structure has been floodproofed;*
- c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 17.42.170E.5.; and*
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.*

Applicant's Response: A development permit will be obtained before construction or development begins within the flood management overlay district.

17.42.120 - Alteration of watercourses.

A. Notify adjacent communities and the department of land conservation and development prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

B. Require that maintenance is provided within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished.

Applicant's Response: The applicant acknowledges that responsibility of notifying adjacent communities and appropriate agencies prior to any alteration of a watercourse.

17.42.140 - Appeals and variance procedure.

A. The purpose of this section is to ensure that compliance with this chapter does not cause unreasonable hardship. To avoid such instances, the requirements of this chapter may be varied. Variances are also allowed when strict application of this chapter would deprive an owner of all economically viable use of land.

B. This section applies to requests to vary from the standards of this chapter only. Requests to vary from other standards of this title shall be subject to the requirements of [Chapter 17.60](#).

Applicant's Response: The applicant acknowledges the ability to file an appeal or pursue a variance for this project.

1. Variance applications made pursuant to this section shall follow the variance procedures outlined in [Chapter 17.50](#).

2. In addition to the public notice requirements outlined in [Section 17.50.090](#), Metro shall be notified within fourteen days of the city receiving an application to vary the requirements of this section and within fourteen days of a decision on the variance.

3. The requirements of [Section 17.60.020](#) (Variances—Grounds) do not apply to requests to vary from the standards of [Chapter 17.42](#).

4. If an application to vary from the standards of [Chapter 17.42](#) is made in conjunction with an application to vary from other standards of this chapter, the variances may be processed as one application, provided the standards applicable to each variance requested must be met before the requested variance may be granted.

Applicant's Response: The applicant acknowledges the procedure for variances, as outlined in 17.50.

C. Hardship Variance. Variances to avoid unreasonable hardship caused by the strict application of this chapter are permitted subject to the criteria set forth in this section. To vary from the requirements of this chapter, the applicant must demonstrate the following:

1. The variance is the minimum necessary to allow the proposed use or activity;

Applicant's Response: The applicant acknowledges the nature of a variance as outlined above.

2. The variance will not increase danger to life and property due to flooding or erosion;

Applicant's Response: The applicant acknowledges no variance will increase danger to life or property.

3. The impact of the increase in flood hazard which will result from the variance will not prevent the city from meeting the requirements of this chapter. In support of this criteria the applicant shall have a qualified professional engineer document the expected height, velocity and duration of floodwaters, and estimate the rate of increase in sediment transport of the floodwaters expected both downstream and upstream as a result of the variance;

Applicant's Response: The applicant acknowledges the requirement to have a qualified professional engineer document the hydrologic impacts that any proposed variance may have.

4. The variance will not increase the cost of providing and maintaining public services during and after flood conditions so as to unduly burden public agencies and taxpayers; and

Applicant's Response: The applicant acknowledges that a variance will not increase cost as outlined above.

5. The proposed use complies with the standards of the base zone.

Applicant's Response: The proposed use of a park complies with the base zone and is allowed outright.

D. The planning commission shall hear and decide appeals and requests for variances when it is alleged there is an error in any requirement, decision or determination made by the building official in the enforcement or administration of these regulations, or that enforcement of this district would result in exceptional hardship. In passing upon such applications, the planning commission shall consider all technical evaluations, all relevant factors, standards specified in other sections of this title, and:

1. The danger that materials may be swept onto other lands to the injury of others;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
11. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

E. Upon consideration of the factors listed in subsection D of this section and the purposes of this district, the planning commission may attach such conditions to the granting of variances as it deems necessary to meet the purposes of this district.

F. The city recorder shall maintain the records of all appeal actions and the building official shall report any granted variances to the Federal Insurance Administration upon request.

Applicant's Response: The applicant acknowledges the role of the planning commission in reviewing any proposed variances to the development.

17.42.150 - Conditions for variances.

The planning commission, pursuant to [Chapter 17.60](#), may impose such conditions as are deemed necessary to limit any adverse impacts that may result from granting relief. If a variance is granted pursuant to [Section 17.42.140](#), the variance shall be subject to the conditions set out in this section. In addition to other standards listed in [Section 17.42.160](#), the following conditions must be met:

A. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register or identified as a locally designated historic structure and without regard to the procedures set forth in the remainder of this chapter.

Applicant's Response: The application acknowledges that the planning commission may impose conditions on variances.

B. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Applicant's Response: The applicant acknowledges variances will not be issued that would increase flood levels in base flood discharge.

C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

Applicant's Response: The applicant acknowledges variances shall only be issued as described above.

D. Variances shall only be issued upon a showing of good and sufficient cause.

Applicant's Response: The applicant acknowledges that variances must demonstrate good and sufficient cause.

E. A determination that failure to grant the variance would result in exceptional hardship to the applicant.

Applicant's Response: The applicant acknowledges the above statement about hardship.

F. Variances as interpreted in the national flood insurance program are based on the general zoning law principle that they pertain to a physical piece or property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

Applicant's Response: The applicant acknowledges that variances from the flood elevations are quite rare.

G. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria as set forth in this chapter.

Applicant's Response: The applicant acknowledges variances for buildings as outlined in the statement above.

H. A variance from the elevation standard may only be issued for new construction, and substantial improvements to be erected on a lot of one-half acre or less in size, that are to contiguous and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.

Applicant's Response: The park site is 25 acres in size, considerably larger than the size described above. A variance from the elevation standard is not being pursued at this time. A final decision on whether a variance will need to be pursued will be determined with the refinement of the Detailed Development Plan.

I. Variances shall not result in increased flood heights, additional threats to public safety, extraordinary public expenses, cause nuisances, cause fraud on or victimization of the public or conflict with existing laws or ordinances.

Applicant's Response: The applicant acknowledges the statement above regarding variances.

J. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest flood elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Applicant's Response: The applicant acknowledges the statement above regarding written notification.

17.42.160.A - Flood management area standards.

Uses Permitted Outright:

- 1. Excavation and fill required to plant any new trees or vegetation.*
- 2. Restoration or enhancement of floodplains, riparian areas, wetland, upland and streams that meet federal and state standards provided that any restoration project which encroaches on the floodway complies with the requirements of Section 17.42.190 (Floodways).*

Applicant's Response: The application acknowledges the uses that are permitted outright.

17.42.160.B Provisional Uses.

- 1. All uses allowed in the base zone or existing flood hazard overlay zone are allowed in the flood management overlay district subject to compliance with the development standards of this section.*

Applicant's Response: The applicant acknowledges provisional uses as allowed in the flood management overlay district.

17.42.160.C Prohibited Uses.

- 1. Any use prohibited in the base zone;*
- 2. Uncontained areas of hazardous materials as defined by the Department of Environmental Quality.*

Applicant's Response: The park development is not proposing any prohibited uses or uncontained areas of hazardous materials therefore this standard does not apply to the project.

17.42.160.D.1 Site Development Standards. All development in the floodplain shall conform to the following balanced cut and fill standards:

This subsection does 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 provided that, after the emergency has passed, adverse impacts are mitigated in accordance with applicable standards.

Applicant's Response: The project will conform to the stated balanced cut and fill standards.

17.42.160.D.2 No net fill in any floodplain is allowed. All fill placed in a floodplain shall be balanced with at least an equal amount of soil material removed. For the purpose of calculating net fill, fill shall include any structure below the design flood elevation that has been floodproofed pursuant to subsection (E)(5) of this section.

Applicant's Response: No net fill is proposed with the park improvements.

17.42.160.D.3 Any excavation below bankfull stage shall not count toward compensating for fill.

Applicant's Response: The applicant acknowledges the statement about excavation below bankfull stage.

17.42.160.D.4 Excavation to balance a fill shall be located on the same parcel as the fill unless it is not practicable to do so. In such cases, the excavation shall be located in the same Oregon City floodplain, so

long as the proposed excavation and fill will not increase flood impacts for surrounding properties as determined through hydrologic and hydraulic analysis.

Applicant's Response: All cut and fill balance will occur on the park parcel property.

17.42.160.D.5 For excavated areas identified by the city to remain dry in the summer, such as parks or mowed areas, the lowest elevation of the excavated area shall be at least six inches above the winter "low water" elevation, and sloped at a minimum of two percent towards the protected water feature pursuant to Chapter 17.49. One percent slopes will be allowed in smaller areas.

Applicant's Response: The applicant acknowledges the requirements of 17.42.160.D.5

17.42.160.D.6 For excavated areas identified by the city to remain wet in the summer, such as a constructed wetland, the grade shall be designed not to drain into the protected water feature pursuant to Chapter 17.49.

Applicant's Response: The applicant acknowledges the requirements of the above statement.

17.42.160.D.7 Parking areas in the floodplain shall be accompanied by signs that inform the public that the parking area is located in a flood management area and that care should be taken when the potential for flooding exists.

Applicant's Response: The park will include appropriate flood management area signage as outlined above.

17.42.160.D.8 Temporary fills permitted during construction shall be removed at the end of construction, thirty days after subdivision acceptance or completion of the final inspection.

Applicant's Response: Temporary fills during construction will be removed at the end of construction.

17.42.160.D.9 New culverts, stream crossings and transportation projects shall be designed as balanced cut and fill projects or designed not to significantly raise the design flood elevation. Such projects shall be designed to minimize the area of fill in flood management areas and to minimize erosive velocities. Stream crossings shall be as close to perpendicular to the stream as practicable. Bridges shall be used instead of culverts wherever practicable.

Applicant's Response: This project will balance cut and fill within the project boundary.

17.42.160.D.10 Excavation and fill required for the construction of detention facilities or structures, and other facilities, such as levees, specifically shall be designed to reduce or mitigate flood impacts and improve water quality. Levees shall not be used to create vacant buildable lands.

Applicant's Response: All appropriate measures as outlined above will be included to reduce and mitigate flood impacts.

17.42.160.E.1 Construction Standards.

1. Anchoring.

a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movements and shall be installed using methods and practices that minimize flood damage.

Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebooks for additional techniques).

Applicant's Response: All new construction at the park will be anchored.

17.42.160.E.2 Construction Materials and Methods.

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.*
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.*
- c. Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.*

Applicant's Response: Flood resistant materials and methods will be utilized at the construction of the park.

17.42.160.E.3 Utilities.

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.*
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.*
- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.*

Applicant's Response: All park water, sanitary and waste disposal systems will be designed and constructed as outlined above.

17.42.160.E.4 Residential Construction

- a. New construction and substantial improvements of any residential structure shall have the lowest floor, including basement, elevated to at least one foot above the design flood elevation.*
- b. Full enclosed areas below the lowest floor that are subject to flooding are prohibited unless they are designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria.*
 - i. A minimum of two openings have a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.*
 - ii. The bottom of all openings shall be no higher than one foot above grade.*
 - iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.*

Applicant's Response: No residential construction is proposed at the park so this standard does not apply.

17.42.160.E.5 Nonresidential Construction.

- a. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to at least one foot above base flood elevation; or, together with attendant utility and sanitary facilities, shall:*
 - i. Be floodproofed so that below the design flood level the structure is watertight with walls substantially impermeable to the passage of water provided that the requirements of subsection D.2. of this section are met;*
 - ii. Have structured components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;*

- iii. *Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 17.42.110B.;*
- iv. *Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection E.4.b. of this section; and*
- v. *Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building constructed to the design flood level will be rated as one foot below that level).*
- vi. *Manufactured Homes. The following standards apply to all manufactured homes to be placed or substantially improved on sites within Flood Hazard Areas.*

When manufactured dwellings are installed in flood hazard areas, they shall be elevated and anchored according to the Oregon Residential Specialty Code.

Applicant's Response: All of the nonresidential construction standards as outlined above will be implemented in the construction of the park.

F. Recreational Vehicles. Recreational vehicles placed on sites within Zones A1-30, AH and AE as shown on the flood insurance rate map shall:

- 1. Be on site for fewer than one hundred eighty consecutive days, and be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or*
- 2. Meet the requirements of subsection E.6. of this section and the elevation and anchoring requirements for manufactured homes.*

Applicant's Response: All recreational vehicle usage at the park will conform to the standards outlined above.

G. Below Grade Crawlspaces. Below grade crawlspaces are allowed subject to the following standards. It should be noted that there are potential increased charges to personal insurance costs for below grade crawlspaces.

Applicant's Response: No below grade crawl spaces are proposed as a part of this park so this standard does not apply.

1. The building shall be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and effects of buoyancy can usually be addressed through the required openings stated in subsection 2. below. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.

Applicant's Response: All structures at the park will be designed and adequately anchored to resist flotation, collapse and lateral movement during flood events.

2. The crawlspace is an enclosed area below the base flood elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one foot above the lowest adjacent exterior grade.

Applicant's Response: The project does not propose any crawlspaces so this standard does not apply.

3. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE.

Applicant's Response: All proposed buildings will be constructed with materials resistant to flood damage.

4. Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodways cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.

Applicant's Response: Crawlspaces are not proposed on this project so this standard does not apply.

5. The interior grade of a crawlspace below the BFE must not be more than two feet below the lowest adjacent exterior grade.

Applicant's Response: Crawlspaces are not proposed on this project so this standard does not apply.

6. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four feet at any point. The height limitations is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.

Applicant's Response: Crawlspaces are not proposed on this project so this standard does not apply.

7. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.

Applicant's Response: Crawlspaces are not proposed on this project so this standard does not apply.

8. The velocity of floodwaters at the site should not exceed five feet per second for any crawlspace. For areas with floodwater velocities in excess of five feet per second, below grade crawlspaces are prohibited.

Applicant's Response: Crawlspaces are not proposed on this project so this standard does not apply.

17.42.170 - Review of building permits.

Where elevation data is not available either through the flood insurance study, FIRM or from another authoritative source (Section 17.42.110), application for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness shall be made by the building official, considering use of historical data, high water marks, photographs of past floodings, etc., where available, and the provisions of this title. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

Applicant's Response: The applicant acknowledges the above statement regarding the establishment of elevation data.

17.42.180 - Subdivision standards.

A.Subdivision Proposals.

1.All subdivision proposals shall be consistent with the need to minimize flood damage.

Applicant's Response: A subdivision is not proposed so this standard does not apply.

2.All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

Applicant's Response: A subdivision is not proposed so this standard does not apply.

3.All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

Applicant's Response: A subdivision is not proposed so this standard does not apply.

4.Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty lots or five acres (whichever is less).

Applicant's Response: A subdivision is not proposed so this standard does not apply.

5.All structures and site grading developed or conducted in conjunction with a subdivision proposal shall comply with Section 17.42.160, flood management area standards.

Applicant's Response: A subdivision is not proposed so this standard does not apply.

B.The purpose of this section is to allow density accruing to portions of a property within the flood management overlay district to be transferred outside the overlay district.

1.Density transfers shall be allowed if the applicant demonstrates compliance with the following standards:

a.The density transfer is proposed as part of a subdivision.

b.Minimum density standards will not increase due to the density transfers.

c.The area of land contained in a flood management area may be excluded from the calculations for determining compliance with minimum density requirements of the zoning code.

Applicant's Response: This park project is not proposing any density transfers so this standard does not apply.

17.42.190 - Floodways.

Located within areas of special flood hazard established in Section 17.42.030 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply:

A. Encroachments, including fill, new construction, substantial improvements and other development shall be prohibited unless certification by a registered professional engineer or architect is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

Applicant's Response: The applicant acknowledges the above statement regarding floodways.

B. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood management area standards of Sections 17.42.160 through 17.42.190.

Applicant's Response: The applicant acknowledges the above statement.

C. Below-grade crawlspace construction is allowed in the floodplain in accordance with the Oregon Residential Specialty Code and the Oregon State Structural Specialty Code as adopted by local building code.

Applicant's Response: Crawlspaces are not being proposed in this development so this standard does not apply.

D. In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

Applicant's Response: A regulatory floodway has been established at this site so this standard does not apply.

GEOLOGIC HAZARDS – CHAPTER 17.44

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.

Applicant's Response: The applicant will obtain all required permits and approvals required by this chapter.

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.*

Applicant's Response: The applicant will submit all documentation to demonstrate compliance with 17.44.030

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.*

Applicant's Response: **The above exemptions are not included in this project so this standard does not apply.**

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.

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.*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

- 2. *Information and recommendations regarding existing local drainage, proposed permit activity impacts on local drainage, and mitigation to address adverse impacts;*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

- 3. *Comprehensive information about site topography;*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

- 4. *Opinion as to the adequacy of the proposed development from an engineering standpoint;*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

- 5. *Opinion as to the extent that instability on adjacent properties may adversely affect the project;*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

- 6. *Description of the field investigation and findings, including logs of subsurface conditions and laboratory testing results;*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

- 7. *Conclusions regarding the effect of geologic conditions on the proposed development, tree removal, or grading activity;*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

- 8. *Specific requirements and recommendations for plan modification, corrective grading, and special techniques and systems to facilitate a safe and stable site;*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

- 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*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

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.*

Applicant's Response: The applicant will include the above required information to demonstrate compliance.

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.*

Applicant's Response: A hydrology report will be included with the Detailed Development Plan.

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.*

Applicant's Response: This information will be included with the Detailed Development Plan.

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.*

Applicant's Response: This information will be included with the Detailed Development Plan.

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.

Applicant's Response: This information will be included with the Detailed Development Plan.

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.

Applicant's Response: The applicant acknowledges the above statement.

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.

Applicant's Response: The development of the park will be designed to avoid unnecessary disturbance of natural topography and other requirements as outlined above.

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.

Applicant's Response: All improvements outlined above will occur from May 1 to October 31.

17.44.060.C Designs shall minimize the number and size of cuts and fills.

Applicant's Response: The park has been designed to minimize the number and size of cuts and fills.

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.

Applicant's Response: Cut and fill slopes in the park will be constructed as outlined above.

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.

Applicant's Response: The applicant will engage a suitably qualified engineer to design structural fill.

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.

Applicant's Response: The park plans do not include retaining walls, therefore this section does not apply.

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.

Applicant's Response: Roads within the park will be constructed at the minimum width necessary.

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;*

Applicant's Response: Residential units are not being included with this project, therefore this section does not apply.

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.*

Applicant's Response: The development of the park will be in conformance with the above stated slope requirements.

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.*

Applicant's Response: The project geotechnical engineer of record will review all final grading, drainage and foundation plans and specifications to confirm their conformance with report recommendations.

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.*

Applicant's Response: The applicant's geotechnical engineer will provide written response to all peer reviewer comments.

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.*

Applicant's Response: The applicant acknowledges the above statement.

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.*

Applicant's Response: The applicant acknowledges the above statement.

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.

Applicant's Response: All new park storm, sanitary, water and gas utilities will be placed underground. Other utilities will be placed above ground where poles exist, otherwise they will be placed underground.

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.

Applicant's Response: The applicant will include a permanent and complete stormwater control plan with the Detailed Development Plans, in accordance with the requirements outlined above.

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.*

Applicant's Response: Vegetation removal and soil disturbance shall provide positive erosion control measures.

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.

Applicant's Response: Grading, clearing and excavation activities for this project will not commence prior to obtaining all necessary permits. All appropriate measures will be taken to eliminate erosion.

17.44.100.C *All disturbed vegetation shall be replanted with suitable vegetation upon completion of the grading of the steep slope area.*

Applicant's Response: All areas of disturbed vegetation shall be replanted in the park.

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.*

Applicant's Response: Existing vegetative cover will be maintained to the maximum extent practicable in the redevelopment of the park, including trees, shrubs, groundcovers and grasses.

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.

Applicant's Response: Any disturbance to watercourses will be properly documented and then reviewed by all jurisdictional authorities.

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.

Applicant's Response: All soil erosion and sediment control measures associated with the development of the park will be maintained during construction and for one year after development is completed.

17.44.100.G All newly created lots, either by subdivision or partition, shall contain building envelopes with a slope of 35% or less.

Applicant's Response: No new lots will be created with this development, therefore this section does not apply.

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.

Applicant's Response: The project geotechnical engineer will provide all necessary special inspections during construction.

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.

Applicant's Response: The project geotechnical engineer shall prepare a signed and stamped summary letter prior to the issuance of an occupancy permit.

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.

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.

Applicant's Response: The applicant acknowledges the statement above.

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.

Applicant's Response: The applicant acknowledges the above statement.

CHAPTER 17.48 WRG WILLAMETTE RIVER GREENWAY OVERLAY DISTRICT

17.48.040 - Uses allowed.

All uses permitted pursuant to the provisions of the underlying zoning district are permitted on lands designated WRG; provided, however, that any development, change of use or intensification of use shall be subject, in addition to the provisions of the underlying district, to the provisions of this chapter.

Applicant's Response: The proposed park development does not change the overall use or intensification of use.

17.48.050 - Permit required—Exceptions.

A Willamette River Greenway permit shall be required for all developments and changes or intensification of uses, except the following:

- A. *The propagation of timber or the cutting of timber for public safety or personal use, except the cutting of timber along the natural vegetative fringe along the river;*
- B. *Gravel removal from the bed of the Willamette River when conducted under a permit from the state;*
- C. *Customary dredging and channel maintenance;*
- D. *Placing by a public agency of signs, markers, aids and similar structures to serve the public;*
- E. *Activities to protect, conserve, enhance and maintain public recreation, scenic, historical and natural uses on public lands;*
- F. *Acquisition and maintenance of scenic easements by the Oregon Department of Transportation;*
- G. *Partial harvesting of timber shall be permitted beyond the natural vegetative fringe and those areas not covered by a scenic easement and when the harvest is consistent with an approved plan under the Oregon Forest Practices Act. Commercial forest activities and harvesting practices providing for vegetative buffers, shading, soil stabilization, and water filtering effects required under the Oregon Forest Practices Act;*
- H. *The use of a small cluster of logs for erosion control;*
- I. *The expansion of capacity or the replacement of existing communication or energy distribution and transmission systems, except utility sub-stations;*
- J. *The maintenance and repair of existing flood control facilities;*
- K. *Any activity subject to Type I review pursuant to OCMC 17.62.035.A.2, provided that proposed changes are located entirely outside of the compatibility boundary and on existing developed commercial, multifamily, or industrial properties.*
- L. *Within the compatibility boundary, exterior building changes that are not considered remodeling.*
- M. *Changes to landscaping or parking subject to Type I review pursuant to OCMC 17.62.035.A.2 that are more than 100 feet from the Oregon Department of State Lands' mapped ordinary low water line of the Willamette River, provided that changes are located on existing developed commercial, multifamily, or industrial properties.*

N. *On existing single or two-family residential properties, landscaping, construction of driveways, modification of existing structures or construction or placement of such subsidiary structures or facilities adjacent to the residence.*

O. *The addition of a wall sign, projecting sign, or roof sign on any building in the WRG overlay.*

Applicant's Response: The applicant acknowledges the exemptions to the WRG as outlined above.

17.48.060 - Procedures.

A. *Except as specifically provided for in Section 17.48.100, the procedure for action on a Willamette River Greenway permit shall be as provided for under the Type II review provisions in OCMC 17.50.*

Applicant's Response: The applicant acknowledges the above statement regarding OCMC 17.50.

17.48.070 - Development standards—Specific use.

In approving any development or change or intensification of use, the approving officer or body shall apply the following standards:

Considerations for Specific Uses.

A. *With respect to recreational uses only: the considerations set forth in section C.3.b of Goal 15.*

B. *With respect to those fish and wildlife habitats identified in the city comprehensive plan only: the considerations set forth in section C.3.d. of Goal 15.*

C. *With respect to those scenic qualities and views identified in the city comprehensive plan only: the considerations set forth in section C.3.e. of Goal 15.*

D. *With respect to timber resources only: the considerations set forth in section C.3.h. of Goal 15.*

E. *With respect to aggregate extraction only: the considerations set forth in section C.3.i. of Goal 15.*

Applicant's Response: The applicant acknowledges the above statement regarding 17.48.070.

17.48.080 - Development standards—General considerations.

The following considerations shall be applicable to all Willamette River Greenway permits.

A. *Access. Adequate public access to the Willamette River shall be considered and provided for.*

Applicant's Response: The park plan provides increased and adequate access to the Willamette River including improved accessible pathways, a repaired nonmotorized boat launch and a new boat launch.

B. *Protection and Safety. Maintenance of public safety and protection of public and private property, especially from vandalism and trespass, shall be provided for to the maximum extent practicable.*

Applicant's Response: The park design will maintain public safety and protect public and private property to the maximum extent possible.

C. *Vegetative Fringe. The natural vegetative fringe along the Willamette River shall be protected and enhanced to the maximum extent practicable.*

Applicant's Response: Extensive habitat restoration along the Willamette River will take place as a part of this park development including the planting of native trees, shrubs, groundcover and grasses.

D. *Directing Development Away from the River. Development shall be directed away from the Willamette River to the greatest possible degree, provided that lands committed to urban uses within the Greenway may continue as urban uses, subject to the nonconforming use provisions of Chapter 17.58 of this title.*

Applicant's Response: No urban uses are proposed as a part of this park development, therefore this section does not apply.

- E. *A Greenway Setback. In each application, the approving officer or body shall establish a setback to keep structures separated from the Willamette River in order to protect, maintain, preserve and enhance the natural scenic, historic and recreational qualities of the Willamette River Greenway, as set forth in the city comprehensive plan; provided, however, that the requirement to establish such setbacks shall not apply to water-related or water-dependent uses. No greenway setback standards shall apply for areas outside of the 150-foot Compatibility boundary.*

Applicant's Response: The applicant acknowledges that a setback will be established for the project.

- F. *Other Applicable Standards. The Oregon Department of Transportation Greenway Plan, the Greenway portions of the city comprehensive plan, the Willamette River Greenway statutes and the provisions of Statewide Planning Goal 15, shall also be considered in actions involving Willamette River Greenway permits.*

Applicant's Response: The applicant acknowledges the consideration of other planning documents and their influence on the development of this park.

17.48.100 - Compatibility review.

- A. *In all areas within one hundred fifty feet of the Oregon Department of State Lands' mapped ordinary low-water line of the Willamette River, hereinafter referred to as the "compatibility boundary," the provisions of this subsection shall be applicable to all developments and changes or intensification of uses, so as to ensure their compatibility with Oregon's Greenway statutes, and to assure that the best possible appearance, landscaping and public access be provided.*

Applicant's Response: The applicant acknowledges the compatibility review that will be completed for this project.

- B. *All development or changes or intensifications of uses in the compatibility area shall be approved only if the following findings are made by the Planning Commission through a Type III review process pursuant to OCMC 17.50.*

1. *That to the greatest extent possible, the development or change or intensification of use provides for the maximum possible landscaped area, open space or vegetation between the activity and the river.*

Applicant's Response: In the site master plan, to the maximum extent possible, landscaped areas, open space and vegetation have been incorporated between active areas such as the play area, skate park and parking lot and the river.

2. *That to the greatest degree possible, necessary public access is provided to and along the Willamette River by appropriate legal means.*

Applicant's Response: The park plan provides necessary access to the Willamette River including improved accessible pathways, a repaired nonmotorized boat launch and a new boat launch.

17.48.110 - Prohibited activities.

The following are prohibited within the Willamette River Greenway:

- A. *Structural bank protection, except rip rap or a channelization used as an emergency measure only to protect existing structures. Any such rip rap or channelization to stabilize undeveloped sites shall be prohibited as well;*
- B. *Subsurface sewage disposal drainfields within one hundred feet of the ordinary mean low-water line of the Willamette River.*

Applicant's Response: The applicant is not proposing any prohibited activities within the Willamette River Greenway, therefore this section does not apply.

17.48.120 - Additional procedural requirements.

In addition to the requirements of Chapter 17.50, the following procedural requirements shall be applicable to all matters arising out of Sections 17.48.070 through 17.48.100:

- A. *Applications submitted for review under Sections 17.48.070 through 17.48.100 shall be accompanied by such materials as are reasonably necessary for adequate review, including, as necessary:*
 - 1. *A site and landscaping plan showing existing vegetation and development and location of proposed development for activities;*
 - 2. *Elevations of any proposed structures;*
 - 3. *Materials list for any proposed structures, including type and colors of siding and roofing; and*
 - 4. *Cross-sections of any area within the vegetative fringe where grading, filling, timber harvesting or excavating will occur.*

Applicant's Response: A site and landscaping plan, elevations of proposed structures, materials and cross sections will be included with the Detailed Development Plan.

- B.
 - 1. *Written notice, including a copy of the application, shall be sent immediately upon receipt to the Oregon Department of Transportation by certified mail, return receipt requested. The Oregon Department of Transportation shall have seven working days from the date of mailing to respond before a decision be rendered.*
 - 2. *Written notice shall be given to the Oregon Department of Transportation by certified mail, return receipt requested, within seven days of the entry of a final order on the disposition of all applications made under Sections 17.48.070 through 17.48.100.*

Applicant's Response: Written notice shall be sent to the Oregon Department of Transportation as outlined above.

CHAPTER 17.49 NATURAL RESOURCES OVERLAY DISTRICT**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.

Applicant's Response: The entire subject property is already within the NROD boundary, therefore this section does not apply.

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.

Applicant's Response: The applicant acknowledges that an NROD permit will be required for this park project development. This documentation will be included with the Detailed Development Plan.

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.

Applicant's Response: The applicant acknowledges the above provisions regarding emergency work within the NROD boundary.

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.

Applicant's Response: The applicant acknowledges that they will be required to adhere to the more restrictive provisions regarding any development within the NROD area.

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.*

Applicant's Response: The applicant will be simultaneously pursuing permits from Federal agencies for in-water work and other improvements in the corridors of the Clackamas and Willamette Rivers.

- 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.*

Applicant's Response: The applicant acknowledges their obligation to satisfy all applicable state and federal wetland requirements.

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.*

Applicant's Response: No prohibited uses are being proposed within the NROD boundary of this project.

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.

Applicant's Response: The applicant acknowledges the above list of uses allowed outright, as outlined above.

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.

Applicant's Response: The applicant acknowledges the list of uses allowed under prescribed conditions as outlined above. Park improvements include alterations to existing structure, trails and pedestrian paths, new roadways, utility lines and stormwater infrastructure. These will be further detailed in the Detailed Development Plans.

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;*

Applicant's Response: The Parks Department hired a certified arborist to conduct a tree inventory of the entire site. The inventory includes the species, size and health condition of each individual tree. To the greatest extent possible all healthy native trees will be preserved in the redevelopment of the park.

- 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.*

Applicant's Response: The proposed parking lots include landscape islands and perimeter landscape planting to meet the landscape requirements of the base zone.

- 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);*

Applicant's Response: All vegetation planted in the NROD will be native and listed on the Oregon City Native Plant List or another locally adopted plant list.

- D. *Grading is subject to installation of erosion control measures required by the City;*

Applicant's Response: All appropriate temporary and permanent erosion control measures will be installed at the park.

- 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;*

Applicant's Response: The applicant acknowledges the above statement regarding setbacks.

- 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;*

Applicant's Response: The applicant acknowledges the above statement regarding setbacks.

- G. *Fences in compliance with OCMC 17.49.080.N;*

Applicant's Response: Fences will be 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;*

Applicant's Response: Exterior lighting in the NROD will conform to the requirement above.

- I. *If development will occur within the one hundred-year floodplain, the standards of OCMC 17.42 shall be met; and*

Applicant's Response: Development will occur within the one hundred-year floodplain, therefore the development will comply with the standards of OCMC 17.42.

J. Mitigation of impacts to the regulated buffer is required, subject to OCMC 17.49.180 or 17.49.190.

Applicant's Response: Mitigation for this park development will comply to OCMC 17.49

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

<i>Protected Water Feature Type (see definitions)</i>	<i>Slope Adjacent to Protected Water Feature</i>	<i>Starting Point for Measurements from Water Feature</i>	<i>Width of Vegetated Corridor (see Note 1)</i>
<i>Anadromous fish-bearing streams</i>	<i>Any slope</i>	<i>• Edge of bankfull flow</i>	<i>200 feet</i>
<i>Intermittent streams with slopes less than 25 percent and which drain less than 100 acres</i>	<i>< 25 percent</i>	<i>• Edge of bankfull flow</i>	<i>15 feet</i>
<i>All other protected water features</i>	<i>< 25 percent</i>	<i>• Edge of bankfull flow • Delineated edge of Title 3 wetland</i>	<i>50 feet</i>
	<i>≥25 percent for 150 feet or more (see Note 2)</i>		<i>200 feet</i>
	<i>≥25 percent for less than 150 feet (see Note 2)</i>		<i>Distance from starting point of measurement to top of ravine (break in ≥25 percent slope) (See Note 3) plus 50 feet.</i>

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.*

Applicant's Response: The applicant acknowledges calculation of a vegetated corridor as outlined above.

- 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.*

Applicant's Response: The NROD boundary at Clackamette Park will correspond to the Metro Regionally Significant Habitat Map.

- 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.*

Applicant's Response: The entirety of the project is located within the city limit, therefore these standards do not apply to the development.

17.49.120 - Maximum disturbance allowance for highly constrained lots of record.

In addition to the General Development Standards of OCMC 17.49.100, the following standards apply to a vacant lot of record that is highly constrained by the NROD, per OCMC 17.49.090.B and 17.49.090.F:

- A. *Standard for Residential Development. In the NROD where the underlying zone district is zoned Residential (R-10, R-8, R-6, R-5, R-3.5): the maximum disturbance area allowed for new residential development within the NROD area of the lot is three thousand square feet.*

Applicant's Response: This development is not classified as a highly constrained lot, therefore this standard does not apply to the development.

- B. *Standard for all developments not located in R-10, R-8, R-6, R-5, and R-3.5. For all other underlying zone districts, the maximum disturbance area allowed for a vacant, constrained lot of record development within the NROD is that square footage which when added to the square footage of the lot lying outside the NROD portion equals twenty-five percent of the total lot area.*
1. *Lots that are entirely covered by the NROD will be allowed to develop twenty-five percent of their area.*
 2. *This can be determined by: (1) Multiplying the total square footage of the lot by .25; or (2) Subtracting from that amount the square footage of the lot that is located outside the NROD. The result is the maximum square footage of disturbance to be allowed in the NROD portion of the lot. If the result is < or = to 0, no disturbance is permitted and the building shall be located outside of the boundary.*

Applicant's Response: This development is not classified as a highly constrained lot, therefore this standard does not apply to the development.

- C. *In all areas, the disturbance area of a vacant, highly constrained lot of record within the NROD shall be set back at least fifty feet from the top of bank on Abernethy Creek, Newell Creek, or Livesay Creek or twenty-five feet from the top of bank of any tributary of the aforementioned Creeks, other water body, or from the delineated edge of a wetland located within the NROD area.*

Applicant's Response: This development is not classified as a highly constrained lot, therefore this standard does not apply to the development.

- D. *If the highly constrained lot of record cannot comply with the above standards, a maximum 1,500 square foot disturbance within the NROD area may be allowed.*

Applicant's Response: This development is not classified as a highly constrained lot, therefore this standard does not apply to the development.

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.

Applicant's Response: Mitigation pursuant to OCMC 17.49.180 and .190 will be included in the development of this park.

17.49.140 - Standards for utility lines.

The following standards apply to new utilities, private connections to existing or new utility lines, and upgrades of existing utility lines within the NROD:

- A. The disturbance area for private connections to utility lines shall be no greater than ten feet wide;*

Applicant's Response: There will not be any private connections to utility lines, therefore this standard does not apply to the development.

- B. The disturbance area for the upgrade of existing utility lines shall be no greater than fifteen feet wide;*

Applicant's Response: The disturbance for the upgrade of existing utility lines in this development will not exceed fifteen feet in width.

- C. New utility lines shall be within the right-of-way, unless reviewed under subsection D.*

Applicant's Response: New utility lines included in this project will be processed as a type III permit and will conform to OCMC 17.49.200.

- D. New utility lines that cross above or underneath a drainage way, wetland, stream, or ravine within the NROD but outside of a right-of-way shall be processed as a Type III permit pursuant to OCMC 17.49.200, Adjustment from Standards.*

Applicant's Response: New utility lines included in this project will be processed as a type III permit and will conform to OCMC 17.49.200.

- E. No fill or excavation is allowed within the ordinary high water mark of a stream without the approval of the Division of State Lands and/or the U.S. Army Corps of Engineers;*

Applicant's Response: The development will pursue all required permissions from the Division of State Lands and the U.S. Army Corps of Engineers.

- F. The Division of State Lands must approve any work that requires excavation or fill in a wetland;*

Applicant's Response: The applicant will submit all necessary documentation to the Division of State Lands for approval of any and all excavation in a wetland.

- G. *Native trees more than ten inches in diameter shall not be removed unless it is shown that there are no feasible alternatives; and*

Applicant's Response: Native trees larger than ten inches in diameter will only be removed as is necessary.

- H. *Each six to ten-inch diameter native tree cut shall be replaced at a ratio of three trees for each one removed. Each eleven-inch or greater diameter native tree shall be replaced at a ratio of five trees for each removed. The replacement trees shall be a minimum one-half inch diameter and selected from the Oregon City Native Plant List. All trees shall be planted within the NROD on the subject property. Where a utility line is approximately parallel with the stream channel, at least half of the replacement trees shall be planted between the utility line and the stream channel.*

Applicant's Response: The project will mitigate all qualifying trees to be removed as outlined above in section H.

- I. *Mitigation is required, subject to OCMC 17.49.180 or 17.49.190.*

Applicant's Response: The project will comply with the mitigation requirements of OCMC 17.49.180 and .190.

17.49.150 - Standards for vehicular or pedestrian paths and roads.

The following standards apply to public rights-of-way and private roads within the NROD, including roads, bridges/stream crossings, driveways and pedestrian paths with impervious surfaces:

- A. *Stream crossings shall be limited to the minimum number and width necessary to ensure safe and convenient pedestrian, bicycle and vehicle connectivity, and shall cross the stream at an angle as close to perpendicular to the stream channel as practicable. Bridges shall be used instead of culverts wherever practicable.*

Applicant's Response: This project does not include any stream crossings, therefore this standard does not apply to the development.

- B. *Where the right-of-way or private road crosses a stream the crossing shall be by bridge or a bottomless culvert;*

Applicant's Response: This project does not include any stream crossings, therefore this standard does not apply to the development.

- C. *No fill or excavation shall occur within the ordinary high water mark of a stream without the approval of the Division of State Lands and/or the U.S. Army Corps of Engineers;*

Applicant's Response: The project will acquire approval from the Division of State Lands and or the U.S. Army Corps of Engineers for all excavation within the ordinary high water mark of a stream.

- D. *If the Oregon Department of State Lands (DSL) has jurisdiction over any work that requires excavation or fill in a wetland, required permits or authorization shall be obtained from DSL prior to release of a grading permit;*

Applicant's Response: All required permits will be obtained from DSL prior to the release of a grading permit.

- E. *Any work that will take place within the banks of a stream shall be conducted between June 1 and August 31, or shall be approved by the Oregon Department of Fish and Wildlife; and*

Applicant's Response: All work on this project that takes place within the banks of a stream will occur between June 1 and August 31, or as approved by Oregon Department of Fish and Wildlife.

F. Mitigation is required, subject to OCMC 17.49.180 or 17.49.190.

Applicant's Response: All mitigation relating to this project required by OCMC 17.49.180 and .190 will be completed by this project.

17.49.155 - Standards for stormwater facilities.

Approved facilities that infiltrate stormwater on-site in accordance with Public Works Low-Impact Development standards, including but not limited to; vegetated swales, rain gardens, vegetated filter strips, and vegetated infiltration basins, and their associated piping, may be placed within the NROD boundary pursuant to the following standards:

A. The forest canopy within the driplines of existing trees shall not be disturbed.

Applicant's Response: The project will include stormwater facilities to infiltrate stormwater on-site.

B. Only vegetation from the Oregon City Native Plant List shall be planted within these facilities.

Applicant's Response: The appropriate vegetation from the Oregon City Native Plant List will be selected for the stormwater facilities.

C. Mitigation is required, subject to OCMC 17.49.180 or 17.49.190.

Applicant's Response: All required mitigation will comply with 17.49.180 .190.

D. The storm water facility may encroach up to one-half the distance of the NROD corridor.

Applicant's Response: The entire project site is located within the NROD corridor so the entire storm water facility will encroach in the NROD corridor.

E. The stormwater facility shall not impact more than one thousand square feet of the NROD. Impacts greater than one thousand square feet shall be processed as a Type III application.

Applicant's Response: The entire project site is located within the NROD corridor so the entire storm water facility will encroach in the NROD corridor. This will be processed as a Type III application.

F. The community development director may allow 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 within the Natural Resource Overlay District.

Applicant's Response: The applicant acknowledges the above statement.

G. The design of the stormwater facility shall be subject to OCMC 13.12.

Applicant's Response: The design of the stormwater facilities for this project will comply with OCMC 13.12.

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*

Applicant's Response: This project does not include any land divisions, therefore these standards are not applicable to the development.

2. *The existing house will remain; and*

Applicant's Response: This project does not include any land divisions, therefore these standards are not applicable to the development.

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.*

Applicant's Response: This project does not include any land divisions, therefore these standards are not applicable to the development.

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.*

Applicant's Response: This project does not include any land divisions, therefore these standards are not applicable to the development.

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.*

Applicant's Response: This project does not include any land divisions, therefore these standards are not applicable to the development.

17.49.170 - Standards for trails.

All trails that are not exempt pursuant to OCMC 17.49.80.F shall be processed through a Type II or Type III process pursuant to this chapter; and shall provide mitigation, subject to OCMC 17.49.180 or 17.49.190.

Applicant's Response: Trails included in this park development will be processed through a Type III process.

17.49.180 - Mitigation standards.

The following standards (or the alternative standards of OCMC 17.49.190) apply to required mitigation:

- A. *Mitigation shall occur at a two-to-one ratio of mitigation area to proposed NROD disturbance area. Mitigation of the removal or encroachment of a wetland or stream shall not be part of this chapter and will be reviewed by the Division of State Lands or the Army Corp of Engineers during a separate review process;*

Applicant's Response: The applicant acknowledges the above mitigation standard.

- B. *Mitigation shall occur on the site where the disturbance occurs, pursuant to the following:*
 - 1. *The mitigation required for disturbance associated with a right-of-way or utility in the right-of-way shall be located as close to the impact area as possible within the NROD;*
 - 2. *If not possible to locate mitigation on the same site, the mitigation shall occur first on the same stream tributary, secondly in the Abernethy, Newell or Livesay Creek or a tributary thereof, or thirdly as close to the impact area as possible within the NROD; and*
 - 3. *An easement that allows access to the mitigation site for monitoring and maintenance shall be provided as part of the mitigation plan.*

Applicant's Response: All mitigation shall occur on the project site.

- C. *Mitigation shall occur within the NROD area of a site unless it is demonstrated that this is not feasible because of a lack of available and appropriate area. In such cases, the proposed mitigation area shall be contiguous to the existing NROD area so the NROD boundary can be easily extended in the future to include the new resource site.*

Applicant's Response: All mitigation for this project will occur within the NROD area of this site.

- D. *Invasive and nuisance vegetation shall be removed within the mitigation area;*

Applicant's Response: This project will remove invasive and nuisance vegetation from the park project site.

- E. *Required Mitigation Planting. An applicant shall meet Mitigation Planting Option 1 or 2 below, whichever option results in more tree plantings, except that where the disturbance area is one acre or more, Mitigation Option 2 shall be required. All trees, shrubs and ground cover shall be selected from the Oregon City Native Plant List.*

Applicant's Response: The disturbance area for this development is greater than one acre, therefore Mitigation Option 2 will be implemented on this project.

NOTE: Applications on sites where no trees are present or which are predominantly covered with invasive species shall be required to mitigate the site, remove the invasive species and plant trees and native plants pursuant to Option 2.

- 1. *Mitigation Planting Option 1.*
 - a. *Planting Quantity. This option requires mitigation planting based on the number and size of trees that are removed from the site pursuant to Table 17.49.180E.1.a.*

Table 17.49.180E.1.a.—Required Planting

<i>Size of Tree to be Removed (DBH)</i>	<i>Number of Trees and Shrubs to be Replanted</i>
6 to 12"	2 trees and 3 shrubs
13 to 18"	3 trees and 6 shrubs
19 to 24"	5 trees and 12 shrubs
25 to 30"	7 trees and 18 shrubs
Over 30"	10 trees and 30 shrubs

Applicant's Response: Trees are present on this site, therefore these standards do not apply to the development.

- b. Plant Size. Replacement trees shall be at least one-half inch in caliper on average, measured at six inches above the ground level for field grown trees or above the soil line for container grown trees. Oak, madrone, ash or alder may be one gallon size. Conifers shall be a minimum of six feet in height. Shrubs shall be at least one-gallon container size or the equivalent in ball and burlap, and shall be at least twelve inches in height at the time of planting. All other species shall be a minimum of four-inch pots;*

Applicant's Response: Replacement trees will comply with the size requirements outlined above.

- c. Plant Spacing. Except for the outer edges of mitigation areas, trees and shrubs shall be planted in a non-linear fashion. Plant spacing for new species shall be measured from the driplines of existing trees when present. Trees shall be planted on average between eight and twelve feet on center, and shrubs shall be planted on average between four and five feet on center, or clustered in single species groups of no more than four plants, with each cluster planted on average between eight and ten feet on center.*

Applicant's Response: Plant spacing will comply with the spacing requirements as outlined above.

- d. Mulching and Irrigation. Mulch new plantings a minimum of three inches in depth and eighteen inches in diameter. Water new plantings one inch per week from June 30th to September 15th, for the three years following planting.*

Applicant's Response: The project will incorporate all mulching and irrigation requirements outlined above.

- e. Plant Species. Shrubs shall consist of at least two different species. If ten trees or more are planted, no more than one-half of the trees may be of the same genus. Conifers shall be replaced with conifers. Bare ground shall be planted or seeded with native grasses and ground cover species.*

Applicant's Response: The project will comply with the plant species and types as outlined above.

2. Mitigation Planting Option 2.

- a. Planting Quantity. In this option, the mitigation requirement is calculated based on the size of the disturbance area within the NROD. Native trees and shrubs are required to be planted at a rate of five trees and twenty-five shrubs per every five hundred square feet of disturbance area (calculated by dividing the number of square feet of disturbance area by five hundred, and then multiplying that result times five trees and*

twenty-five shrubs, and rounding all fractions to the nearest whole number of trees and shrubs; for example, if there will be three hundred thirty square feet of disturbance area, then three hundred thirty divided by five hundred equals .66, and .66 times five equals 3.3, so three trees shall be planted, and .66 times twenty-five equals 16.5, so seventeen shrubs shall be planted). Bare ground shall be planted or seeded with native grasses or herbs. Non-native sterile wheat grass may also be planted or seeded, in equal or lesser proportion to the native grasses or herbs.

Applicant's Response: The project will comply with Mitigation Planting Option 2, as outlined above.

- b. Plant Size. Plantings may vary in size dependent on whether they are live cuttings, bare root stock or container stock, however, no initial plantings may be shorter than twelve inches in height.*

Applicant's Response: The project will comply with the plant size requirements outlined above.

- c. Plant Spacing. Trees shall be planted at average intervals of seven feet on center. Shrubs may be planted in single-species groups of no more than four plants, with clusters planted on average between eight and ten feet on center.*

Applicant's Response: The project will comply with the plant spacing and grouping requirements as outlined above.

- d. Mulching and Irrigation shall be applied in the amounts necessary to ensure eighty percent survival at the end of the required five-year monitoring period.*

Applicant's Response: Mulching and irrigation will be incorporated in the project to ensure eighty percent survival at the end of the required five-year monitoring period.

- e. Plant Diversity. Shrubs shall consist of at least three different species. If twenty trees or more are planted, no more than one-third of the trees may be of the same genus.*

Applicant's Response: The plantings will comply with the plant diversity as outlined above.

F. An alternative planting plan using native plants may be approved in order to create a new wetland area, if it is part of a wetlands mitigation plan that has been approved by the DSL or the U.S. Army Corps of Engineers (USACE) in conjunction with a wetland joint removal/fill permit application.

Applicant's Response: The applicant acknowledges the option to utilize an alternate planting plan as outlined above.

G. Monitoring and Maintenance. The mitigation plan shall provide for a five-year monitoring and maintenance plan with annual reports in a form approved by the Community Development Director. Monitoring of the mitigation site is the on-going responsibility of the property owner, assign, or designee, who shall submit said annual report to the Planning Division, documenting plant survival rates of shrubs and trees on the mitigation site. Photographs shall accompany the report that indicate the progress of the mitigation. A minimum of eighty percent survival of trees and shrubs of those species planted is required at the end of the five-year maintenance and monitoring period. Any invasive species shall be removed and plants that die shall be replaced in kind to meet the eighty percent survival requirement. Bare spots and areas of invasive vegetation larger than ten square feet that remain at the end the five-year monitoring period shall be replanted or reseeded with native grasses and/or ground cover species.

Applicant's Response: The project will include the required monitoring and maintenance as outlined above.

- H. *Covenant or Conservation Easement. The applicant shall record a restrictive covenant or conservation easement, in a form provided by the City, requiring the owners and assigns of properties subject to this section to comply with the applicable mitigation requirements of this section. Said covenant shall run with the land, and permit the City to complete mitigation work in the event of default by the responsible party. Costs borne by the City for such mitigation shall be borne by the owner.*

Applicant's Response: The applicant acknowledges the Covenant or Conservation Easement requirements as outlined above.

- I. *Financial Guarantee. A financial guarantee for establishment of the mitigation area, in a form approved by the City, shall be submitted before development within the NROD disturbance area commences. The City will release the guarantee at the end of the five-year monitoring period, or before, upon its determination that the mitigation plan has been satisfactorily implemented pursuant to this section.*

Applicant's Response: The project will provide a financial guarantee prior to the commencement of any work in the NROD.

17.49.190 - Alternative mitigation standards.

In lieu of the above mitigation standards of OCMC 17.49.180, the following standards may be used. Compliance with these standards shall be demonstrated in a mitigation plan report prepared by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, wildlife biology, botany, hydrology or forestry. At the applicant's expense, the City may require the report to be reviewed by an environmental consultant.

- A. *The report shall document the existing condition of the vegetated corridor as one of the following categories:*

<i>Good Existing Corridor:</i>	<i>Combination of trees, shrubs and groundcover are eighty percent present, and there is more than fifty percent tree canopy coverage in the vegetated corridor.</i>
<i>Marginal Existing Vegetated Corridor:</i>	<i>Combination of trees, shrubs and groundcover are eighty percent present, and twenty-five to fifty percent canopy coverage in the vegetated corridor.</i>
<i>Degraded Existing Vegetated Corridor:</i>	<i>Less vegetation and canopy coverage than marginal vegetated corridors, and/or greater than ten percent surface coverage of any non-native species.</i>

Applicant's Response:

- B. *The proposed mitigation shall occur at a minimum two-to-one ratio of mitigation area to proposed disturbance area;*

Applicant's Response: The applicant acknowledges the opportunity to utilize the alternative mitigation standards as outlined above.

- C. *The proposed mitigation shall result in a significant improvement to Good Existing Condition as determined by a qualified environmental professional;*

Applicant's Response: The mitigation work included in this project will result in a significant improvement as determined by a qualified environmental professional.

- D. *There shall be no detrimental impact on resources and functional values in the area designated to be left undisturbed;*

Applicant's Response: The improvements of this project will have no detrimental impact on resources and functional values of undisturbed areas.

- E. *Where the proposed mitigation includes alteration or replacement of development in a stream channel, wetland, or other water body, there shall be no detrimental impact related to the migration, rearing, feeding or spawning of fish;*

Applicant's Response: No detrimental impact related to the migration, rearing, feeding or spawning of fish will result from the work of this project.

- F. *Mitigation shall occur on the site of the disturbance to the extent practicable. If the proposed mitigation cannot practically occur on the site of the disturbance, then the applicant shall possess a legal instrument, such as an easement, sufficient to carry out and ensure the success of the mitigation.*

Applicant's Response: All mitigation work of this project will occur on the site of disturbance.

17.49.200 - Adjustment from standards.

If a regulated NROD use cannot meet one or more of the applicable NROD standards then an adjustment may be issued if all of the following criteria are met. Compliance with these criteria shall be demonstrated by the applicant in a written report prepared by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, wildlife biology, botany, hydrology or forestry. At the applicant's expense, the City may require the report to be reviewed by an environmental consultant. Such requests shall be processed under the Type III development permit procedure. The applicant shall demonstrate:

- A. *There are no feasible alternatives for the proposed use or activity to be located outside the NROD area or to be located inside the NROD area and to be designed in a way that will meet all of the applicable NROD development standards;*

Applicant's Response: The applicant acknowledges the optional adjustment from NROD standards as outlined above.

- B. *The proposal has fewer adverse impacts on significant resources and resource functions found in the local NROD area than actions that would meet the applicable environmental development standards;*

Applicant's Response: The applicant acknowledges the above statement.

- C. *The proposed use or activity proposes the minimum intrusion into the NROD area that is necessary to meet development objectives;*

Applicant's Response: The applicant acknowledges the above statement.

- D. *Fish and wildlife passage will not be impeded;*

Applicant's Response: The applicant acknowledges the above statement.

- E. *With the exception of the standard(s) subject to the adjustment request, all other applicable NROD standards can be met; and*

Applicant's Response: The applicant acknowledges the above statement.

F. The applicant has proposed adequate mitigation to offset the impact of the adjustment.

Applicant's Response: The applicant acknowledges the above statement.

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.

Applicant's Response: The proposed development of this project will be processed as a Type III development permit application.

17.49.220 - Required site plans.

Site plans showing the following required items shall be part of the application:

- A. *For the entire subject property (NROD and non-NROD areas):*
 1. *The NROD district boundary. This may be scaled in relation to property lines from the NROD Map;*
 2. *One hundred-year floodplain and floodway boundary (if determined by FEMA);*
 3. *Creeks and other waterbodies;*
 4. *Any wetlands, with the boundary of the wetland that will be adjacent to the proposed development determined in a wetlands delineation report prepared by a professional wetland specialist and following the Oregon Division of State Lands wetlands delineation procedures;*
 5. *Topography shown by contour lines of two or one foot intervals for slopes less than fifteen percent and by ten foot intervals for slopes fifteen percent or greater;*
 6. *Existing improvements such as structures or buildings, utility lines, fences, driveways, parking areas, etc.*
 7. *Extent of the required Vegetated Corridor required by Table 17.49.110.*
- B. *Within the NROD area of the subject property:*
 1. *The distribution outline of shrubs and ground covers, with a list of most abundant species;*
 2. *Trees six inches or greater in diameter, identified by species. When trees are located in clusters they may be described by the approximate number of trees, the diameter range, and a listing of dominant species;*
 3. *An outline of the disturbance area that identifies the vegetation that will be removed. All trees to be removed with a diameter of six inches or greater shall be specifically identified as to number, trunk diameters and species;*
 4. *If grading will occur within the NROD, a grading plan showing the proposed alteration of the ground at two foot vertical contours in areas of slopes less than fifteen percent and at five foot vertical contours of slopes fifteen percent or greater.*
- C. *A construction management plan including:*
 1. *Location of site access and egress that construction equipment will use;*
 2. *Equipment and material staging and stockpile areas;*
 3. *Erosion control measures that conform to City of Oregon City erosion control standards;*
 4. *Measures to protect trees and other vegetation located outside the disturbance area.*
- D. *A mitigation site plan demonstrating compliance with OCMC 17.49.180 or 17.49.190, including:*
 1. *Dams, weirs or other in-water features;*
 2. *Distribution, species composition, and percent cover of ground covers to be planted or seeded;*

3. *Distribution, species composition, size, and spacing of shrubs to be planted;*
4. *Location, species and size of each tree to be planted;*
5. *Stormwater management features, including retention, infiltration, detention, discharges and outfalls;*
6. *Water bodies or wetlands to be created, including depth;*
7. *Water sources to be used for irrigation of plantings or for a water source for a proposed wetland.*

Applicant's Response: All of the required site information as outlined above will be included in the Detailed Development Plan.

17.49.230 - Mitigation plan report.

A mitigation plan report that accompanies the above mitigation site plan is also required. The report shall be prepared by an environmental professional with experience and academic credentials in one or more natural resource areas such as ecology, wildlife biology, botany, hydrology or forestry. The mitigation plan report shall, at a minimum, discuss:

- A. *Written responses to each applicable Mitigation Standard in OCMC 17.49.180 or 17.49.190 indicating how the proposed development complies with the mitigation standards;*
- B. *The resources and functional values to be restored, created, or enhanced through the mitigation plan;*
- C. *Documentation of coordination with appropriate local, regional, state and federal regulatory/resource agencies such as the Oregon Department of State Lands (DSL) and the United States Army Corps of Engineers (USACE);*
- D. *Construction timetables;*
- E. *Monitoring and Maintenance practices pursuant to OCMC 17.49.230.F and a contingency plan for undertaking remedial actions that might be needed to correct unsuccessful mitigation actions during the first five years of the mitigation area establishment.*

Applicant's Response: The project will include a mitigation plan report with the Detailed Development Plan.

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;*

Applicant's Response: Density transfer is not being pursued with this project, therefore these standards are not applicable to the development.

- 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.*

Applicant's Response: Residential transfer credit is not being pursued as a part of this project, therefore these standards are not applicable to the development.

- 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.

Applicant's Response: Modifications to Residential Dimensional Standards are not being pursued with this project, therefore these standards are not applicable to the development.

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.

Applicant's Response: Transfer of density is not being pursued with this project, therefore these standards are not applicable to the development.

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'

Applicant's Response: Modifications to Residential Dimensional Standards are not being pursued with this project, therefore these standards are not applicable to the development.

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%

Applicant's Response: Modifications to Residential Dimensional Standards are not being pursued with this project, therefore these standards are not applicable to the development.

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
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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.*

Applicant's Response: Modifications to Residential Dimensional Standards are not being pursued with this project, therefore these standards are not applicable to the development.

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.

Applicant's Response: The applicant acknowledges the process outlined above for the verification of the NROD boundary.

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.*

Applicant's Response: The applicant acknowledges the process outlined above for the verification of the NROD boundary.

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.*

Applicant's Response: The applicant acknowledges the process outlined above for the verification of the NROD boundary.

17.49.265 - Corrections to violations.

For correcting violations, the violator shall submit a remediation plan that meets all of the applicable standards of the NROD. The remediation plan shall be prepared by one or more qualified professionals with experience and credentials in natural resource areas, including wildlife biology, ecology, hydrology and forestry. If one or more of these standards cannot be met, then the applicant's remediation plan shall demonstrate that there will be:

- A. *No permanent loss of any type of resource or functional value listed in OCMC 17.49.10, as determined by a qualified environmental professional;*

Applicant's Response: The applicant acknowledges the above process for corrections to violations.

- B. *A significant improvement of at least one functional value listed in OCMC 17.49.10, as determined by a qualified environmental professional; and*

Applicant's Response: The applicant acknowledges the above statement.

- C. *There will be minimal loss of resources and functional values during the remediation action until it is fully established.*

Applicant's Response: The applicant acknowledges the above statement.

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.*

Applicant's Response: The applicant acknowledges that a pre-application conference will be required as outlined above.

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.*

Applicant's Response: The applicant acknowledges the required neighborhood association meetings as required above.

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.*

Applicant's Response: The applicant acknowledges the above posting requirements.

17.50.140 – Financial guarantees.

When conditions of permit approval require a permittee to construct certain public improvements, the City shall require the permittee 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 permittee 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 permittee 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.*

Applicant's Response: The applicant will provide financial guarantees as outlined above.

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.*

Applicant's Response: The applicant will provide a financial guarantee as outlined above.

CHAPTER 17.52 OFF-STREET PARKING AND LOADING

17.52.010 - Applicability.

The construction of a new structure or parking lot, or alterations to the size or use of an existing structure, parking lot or property use shall require site plan review approval and compliance with this chapter. This chapter does not apply to single-family attached, detached residential dwellings and duplexes.

Applicant's Response: This project includes new parking lots and will apply for a site plan review. Development will comply with chapter 17.

17.52.015 - Planning commission adjustment of parking standards.

- A. *Purpose: The purpose of permitting a Planning Commission adjustment to parking standards is to provide for flexibility in modifying parking standards in all zoning districts, without permitting an adjustment that would adversely impact the surrounding or planned neighborhood. Adjustments provide flexibility to those uses which may be extraordinary, unique, or provide greater flexibility for areas that can accommodate a denser development pattern based on existing infrastructure and ability to access the site by means of walking, biking or transit. An adjustment to a minimum parking standard may be approved based on a determination by the Planning Commission that the adjustment is consistent with the purpose of this Code, and the approval criteria can be met.*
- B. *Procedure: A request for a Planning Commission parking adjustment shall be initiated by a property owner or authorized agent by filing a land use application. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development and parking plan, the extent of the adjustment requested along with findings for each applicable approval criteria. A request for a parking adjustment shall be processed as a Type III application as set forth in Chapter 17.50.*
- C. *Approval criteria for the adjustment are as follows:*
 - 1. *Documentation: The applicant shall document that the individual project will require an amount of parking that is different from that required after all applicable reductions have been taken.*

Applicant's Response: OCMC does not specify a specific required parking rate for public parks. Similar to park projects in the past, the applicant will provide a list of comparable parks in the region, including the size of the park, the amenities at the park and the amount of parking provided at the park. This research has been done and has formed the basis of design for the proposed parking that is provided at the park. This documentation will be included in the Detailed Development Plan.

- 2. *Parking analysis for surrounding uses and on-street parking availability: The applicant shall show that there is a continued fifteen percent parking vacancy in the area adjacent to the use during peak parking periods and that the applicant has permission to occupy this area to serve the use pursuant to the procedures set forth by the Community Development Director.*
 - a. *For the purposes of demonstrating the availability of on street parking as defined in OCMC 17.52.020.B.3., the applicant shall undertake a parking study during time periods specified by the Community Development Director. The time periods shall include those during which the highest parking demand is anticipated by the proposed use. Multiple observations during multiple days shall be required. Distances are to be calculated as traversed by a pedestrian that utilizes sidewalks and legal crosswalks or an alternative manner as accepted by the Community Development Director.*

Applicant's Response: The applicant will perform the parking analysis as outlined above to demonstrate compliance with OCMC 17.52.020.B.3

- b. *The onsite parking requirements may be reduced based on the parking vacancy identified in the parking study. The amount of the reduction in onsite parking shall be calculated as follows:*

- i. *Vacant on-street parking spaces within three hundred feet of the site will reduce onsite parking requirements by 0.5 parking spaces; and*
- ii. *Vacant on-street parking spaces between three hundred and six hundred feet of the site will reduce onsite parking requirements by 0.2 parking spaces.*

Applicant's Response: Based on OCMC, parks do not have a specific, therefore these standards are not applicable to the development.

3. *Function and Use of Site: The applicant shall demonstrate that modifying the amount of required parking spaces will not significantly impact the use or function of the site and/or adjacent sites.*

Applicant's Response: Based on OCMC, parks do not have a specific, therefore these standards are not applicable to the development.

4. *Compatibility: The proposal is compatible with the character, scale and existing or planned uses of the surrounding neighborhood.*

Applicant's Response: The proposed park will maintain much of the character and scale of the existing park and will continue to be a natural fit for the site and the surrounding neighborhood.

5. *Safety: The proposal does not significantly impact the safety of adjacent properties and rights-of-way.*

Applicant's Response: The proposed redevelopment of the park will not significantly impact the safety of the adjacent properties and rights-of-way. As a part of the construction of the park property, the adjacent rights-of-ways will be brought up to the current OCMC standards.

6. *Services: The proposal will not create a significant impact to public services, including fire and emergency services.*

Applicant's Response: The proposed redevelopment of the park will maintain much of the same usage as currently exists at Clackamette park and will not create a significant impact to public services, including fire and emergency services.

17.52.020 - Number of automobile spaces required.

- A. *The number of parking spaces shall comply with the minimum and maximum standards listed in Table 17.52.020. The parking requirements are based on spaces per one thousand square feet net leasable area unless otherwise stated.*

Table 17.52.020		
LAND USE	PARKING REQUIREMENTS	
	MINIMUM	MAXIMUM
Multifamily Residential	1.00 per unit	2.5 per unit
3-4 Plex Residential	2.00	4
Hotel, Motel	1.0 per guest room	1.25 per guest room
Correctional Institution	1 per 7 beds	1 per 5 beds

<i>Senior housing, including congregate care, residential care and assisted living facilities; nursing homes and other types of group homes</i>	<i>1 per 7 beds</i>	<i>1 per 5 beds</i>
<i>Hospital</i>	<i>2.00</i>	<i>4.00</i>
<i>Preschool Nursery/Kindergarten</i>	<i>2.00</i>	<i>3.00</i>
<i>Elementary/Middle School</i>	<i>1 per classroom</i>	<i>1 per classroom + 1 per administrative employee + 0.25 per seat in auditorium/assembly room/stadium</i>
<i>High School, College, Commercial School for Adults</i>	<i>0.20 per # staff and students</i>	<i>0.30 per # staff and students</i>
<i>Auditorium, Meeting Room, Stadium, Religious Assembly Building, movie theater,</i>	<i>.25 per seat</i>	<i>0.5 per seat</i>
<i>Retail Store, Shopping Center, Restaurants</i>	<i>4.10</i>	<i>5.00</i>
<i>Office</i>	<i>2.70</i>	<i>3.33</i>
<i>Medical or Dental Clinic</i>	<i>2.70</i>	<i>3.33</i>
<i>Sports Club, Recreation Facilities</i>	<i>Case Specific</i>	<i>5.40</i>
<i>Storage Warehouse, Freight Terminal</i>	<i>0.30</i>	<i>0.40</i>
<i>Manufacturing, Wholesale Establishment</i>	<i>1.60</i>	<i>1.67</i>
<i>Light Industrial, Industrial Park</i>	<i>1.3</i>	<i>1.60</i>

Applicant's Response: OCMC does not specify a required parking rate for public parks. The overall use of the park has not changed. The existing park provides 75 auto parking spaces and 46 boat trailer parking spaces. The amount of parking in the proposed site plan has been increased. The proposed park provides 90 auto parking spaces and 61 boat trailer parking spaces.

1. *Multiple Uses. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.*

Applicant's Response: This application is for a single use only, a park. Therefore these standards are not applicable to the development.

2. *Requirements for types of buildings and uses not specifically listed herein shall be determined by the Community Development Director, based upon the requirements of comparable uses listed.*

Applicant's Response: OCMC does not specify a required parking rate for public parks. The overall use of the park has not changed. The existing park provides 75 auto parking spaces and 46 boat trailer parking spaces. The amount of parking in the proposed site plan has been increased. The proposed park provides 90 auto parking spaces and 61 boat trailer parking spaces.

3. *Where calculation in accordance with the above list results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.*

Applicant's Response: OCMC does not specify a required parking rate for parks, therefore these standards are not applicable to the development.

4. *Fleet vehicle parking shall be accommodated within the maximum parking ratio, except that in GI, CI, and MUE zones, fleet vehicle parking may be included in a parking lot in addition to the maximum number of permitted parking spaces.*

Applicant's Response: Fleet vehicle parking is not included in this development, therefore these standards are not applicable to the development.

5. *A change in use within an existing habitable building located in the MUD Design District or the Willamette Falls Downtown District is exempt from additional parking requirements. Additions to an existing building and new construction are required to meet the minimum parking requirements for the areas as specified in Table 17.52.020 for the increased square footage.*

Applicant's Response: This project is not in the MUD Design District or the Willamette Falls Downtown District, therefore these standards are not applicable to the development.

- B. *Parking requirements can be met either onsite, or offsite by meeting one or multiple of the following conditions:*

1. *Parking may be located on the same site as the associated use which it is supporting.*

Applicant's Response: All proposed parking will be provided for on the park site.

2. *Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (e.g. the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly, up to a maximum reduction of fifty percent, as determined by the Community Development Director.*

Applicant's Response: This project only includes a single use, therefore these standards are not applicable to the development.

3. *Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlay (e.g., uses primarily of a daytime versus nighttime nature), that the shared parking facility is within one thousand feet of the potential uses, and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument authorizing the joint use.*

Applicant's Response: This project only includes a single use, therefore these standards are not applicable to the development.

4. *On-Street Parking. On-street parking may be counted toward the minimum standards when it is on the street face abutting the subject land use. An on-street parking space shall not obstruct a required clear vision area and it shall not violate any law or street standard. On-street parking for commercial uses shall conform to the following standards:*
 - a. *Dimensions. The following constitutes one on-street parking space:*
 1. *Parallel parking: twenty-two feet of uninterrupted and available curb;*
 2. *Forty-five and/or sixty-degree diagonal parking: Fifteen feet of curb;*
 3. *Ninety-degree (perpendicular) parking: Twelve feet of curb.*

4. *Public Use Required for Credit. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.*

Applicant's Response: This project is not counting on-street parking toward any required parking totals, therefore these standards are not applicable to the development.

C. *Reduction of the Number of the Minimum Automobile Spaces Required. Any combination of the reductions below is permitted unless otherwise noted.*

1. *Downtown Parking Overlay. The minimum required number of parking stalls is reduced within the Downtown Parking Overlay by fifty percent.*

2. *Transit Oriented Development. For projects not located within the Downtown Parking Overlay District, the minimum required number of parking stalls is reduced up to twenty-five percent when:*

a. *In a commercial center (sixty thousand square feet or greater of retail or office use measured cumulatively within a five hundred foot radius) or*

b. *When adjacent to multi-family development with over eighty units or*

c. *Within 1,320 feet of an existing or planned public transit street and within 1,320 feet of the opposite use (commercial center or multi-family development with over eighty units).*

3. *Tree Preservation. The Community Development Director may grant an adjustment to any standard of this requirement provided that the adjustment preserves a designated heritage tree or grove so that the reduction in the amount of required pavement can help preserve existing healthy trees in an undisturbed, natural condition.*

4. *Transportation Demand Management. The Community Development Director shall reduce the required number of parking stalls up to twenty-five percent when a parking-traffic study prepared by a traffic engineer demonstrates alternative modes of transportation, including transit, bicycles, and walking, and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development, as compared to standard Institute of Transportation Engineers vehicle trip generation rates and further that the transportation demand management program promotes or achieves parking utilization lower than minimum city parking requirements.*

A transportation demand management (TDM) program shall be developed to include strategies for reducing vehicle use and parking demand generated by the development and will be measured annually. If, at the annual assessment, the City determines the plan is not successful, the plan may be revised. If the City determines that no good-faith effort has been made to implement the plan, the City may take enforcement actions.

Applicant's Response: OCMC does not specify a required parking rate for public parks. Therefore these standards do not apply to the development.

5. *The minimum required number of stalls may be reduced by up to ten percent when the subject property is adjacent to an existing or planned fixed public transit route or within one thousand feet of an existing or planned transit stop.*

Applicant's Response: OCMC does not specify a required parking rate for public parks. Therefore these standards do not apply to the development.

17.52.030 - Standards for automobile parking.

- A. *Access. Ingress and egress locations on public thoroughfares shall be located in the interests of public traffic safety and meet requirements of OCMC 16.12.035. Groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.*

Applicant's Response: The proposed site ingress and egress locations will meet the requirements of OCMC 16.12.035.

- B. *Surfacing. Required off-street parking spaces and access aisles shall have paved surfaces adequately maintained. The use of pervious asphalt/concrete and alternative designs that reduce storm water runoff and improve water quality pursuant to the City's stormwater and low impact development design standards are encouraged.*

Applicant's Response: All parking lot and drive aisles within the park will have paved surfaces including asphalt and concrete. These vehicular surfaces will be adequately maintained.

- C. *Drainage. Drainage shall be designed in accordance with the requirements of OCMC 13.12 and the City public works stormwater and grading design standards.*

Applicant's Response: All drainage in this park development will be designed in accordance with the requirements of OCMC 13.15 and associated stormwater requirements.

- D. *Dimensional Standards.*

1. *Requirements for parking developed at varying angles are according to the table included in this section. A parking space shall not be less than seven feet in height when within a building or structure, and shall have access by an all-weather surface to a street or alley. Parking stalls in compliance with the American with Disabilities Act may vary in size in order to comply with the building division requirements. Up to thirty-five percent of the minimum required parking may be compact, while the remaining required parking stalls are designed to standard dimensions. The Community Development Director may approve alternative dimensions for parking stalls in excess of the minimum requirement which comply with the intent of this chapter.*

Applicant's Response: The parking stalls at the park will be developed as outlined above.

2. *Alternative parking/plan. Any applicant may propose an alternative parking plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. In such situations, the Community Development Director may approve an alternative parking lot plan with variations to parking dimensions of this section. The alternative shall be consistent with the intent of this chapter and shall create a safe space for automobiles and pedestrians while providing landscaping to the quantity and quality found within parking lot landscaping requirements.*

Applicant's Response: OCMC does not specify a required parking rate for public parks. The overall use of the park has not changed. The existing park provides 75 auto parking spaces and 46 boat trailer parking spaces. The amount of parking in the proposed site plan has been increased. The proposed park provides 90 auto parking spaces and 61 boat trailer parking spaces.

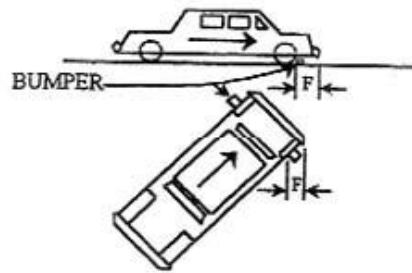
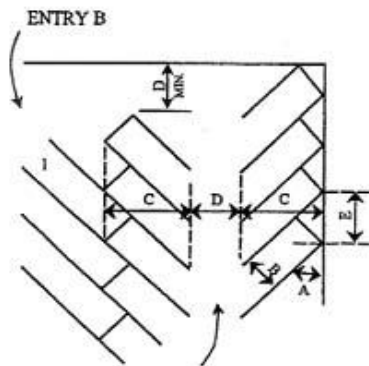
PARKING STANDARD

PARKING ANGLE SPACE DIMENSIONS

A Parking Angle		B Stall Width	C Stall to Curb	D Aisle Width	E Curb Length	F Overhang

0 degrees		8.5	9.0	12	20	0
30 degrees	Standard Compact	9' 8'	17.3' 14.9'	11' 11'	18' 16'	
45 degrees	Standard Compact	8.5 8.5	19.8' 17.0'	13' 13'	12.7' 11.3'	1.4
60 degrees	Standard Compact	9' 8'	21' 17.9'	18' 16'	10.4' 9.2'	1.7
90 degrees	Standard Compact	9' 8'	19.0' 16.0'	24' 22'	9' 8'	1.5

All dimensions are to the nearest tenth of a foot.



Applicant's Response: All parking stalls in this development will meet the standards as outlined above.

- E. *Carpool and Vanpool Parking.* New developments with seventy-five or more parking spaces, excluding projects where seventy-five percent or more of the total floor area is residential, and new hospitals, government offices, group homes, nursing and retirement homes, schools and transit park-and-ride facilities with fifty or more parking spaces, shall identify the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other employee, student or commuter parking spaces with the exception of ADA accessible parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only."

Applicant's Response: It is not anticipated that carpool/vanpool spaces will be provided at this development, therefore these standards are not applicable to the development.

17.52.040 - Bicycle parking standards.

- B. *Number of Bicycle Spaces Required.* For any use not specifically mentioned in Table A, the bicycle parking requirements shall be the same as the use which, as determined by the Community Development Director, is most similar to the use not specifically mentioned. Calculation of the number of bicycle parking spaces required shall be determined in the manner established in OCMC 17.52.020 for determining automobile parking space requirements. Modifications to bicycle parking requirements may be made through the site plan and design, conditional use, or master plan review process.

TABLE A Required Bicycle Parking Spaces*

Where two options for a requirement are provided, the option resulting in more bicycle parking applies. Where a calculation results in a fraction, the result is rounded up to the nearest whole number.

<i>USE</i>	<i>MINIMUM BICYCLE PARKING</i>	<i>MINIMUM BICYCLE PARKING - COVERED - The following percentage of bicycle parking is required to be covered</i>
<i>Multi-family (five or more units)</i>	<i>1 per 10 units (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Correctional institution</i>	<i>1 per 15 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Nursing home or care facility</i>	<i>1 per 30 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Hospital</i>	<i>1 per 20 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Park-and-ride lot</i>	<i>1 per 5 auto spaces (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Transit center</i>	<i>1 per 5 auto spaces (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Parks and open space</i>	<i>1 per 10 auto spaces (minimum of 2)</i>	<i>0%</i>
<i>Public parking lots</i>	<i>1 per 10 auto spaces (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Automobile parking structures</i>	<i>1 per 10 auto spaces (minimum of 4)</i>	<i>80% (minimum of 2)</i>
<i>Religious institutions, movie theater, auditorium or meeting room</i>	<i>1 per 10 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Libraries, museums</i>	<i>1 per 5 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>
<i>Preschool, nursery, kindergarten</i>	<i>2 per classroom (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Elementary</i>	<i>4 per classroom (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Junior high and High school</i>	<i>2 per classroom (minimum of 2)</i>	<i>50% (minimum of 2)</i>
<i>College, business/commercial schools</i>	<i>2 per classroom (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Swimming pools, gymnasiums, ball courts</i>	<i>1 per 10 auto spaces (minimum of 2)</i>	<i>30% (minimum of 1)</i>

<i>Retail stores and shopping centers</i>	<i>1 per 20 auto spaces (minimum of 2)</i>	<i>50% (minimum of 2)</i>
<i>Retail stores handling exclusively bulky merchandise such as automobile, boat or trailer sales or rental</i>	<i>1 per 40 auto spaces (minimum of 2)</i>	<i>0%</i>
<i>Bank, office</i>	<i>1 per 20 auto spaces (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Medical and dental clinic</i>	<i>1 per 20 auto spaces (minimum of 2)</i>	<i>50% (minimum of 1)</i>
<i>Eating and drinking establishment</i>	<i>1 per 20 auto spaces (minimum of 2)</i>	<i>0%</i>
<i>Gasoline service station</i>	<i>1 per 10 auto spaces (minimum of 2)</i>	<i>0%</i>

* Covered bicycle parking is not required for developments with two or fewer parking stalls.

Applicant's Response: Since parks are not specifically listed above, this park development will provide the required number of bicycle parking spaces as determined by the Community Development Director.

C. Design Standards.

1. *Bicycle parking facilities shall be in the form of a lockable enclosure onsite, secure room in a building onsite, a covered or uncovered rack onsite, or within the adjacent right-of-way.*

Applicant's Response: All proposed bicycle parking at the park will meet the design standards listed above.

2. *Bicycle parking areas shall be clearly marked or visible from on-site buildings or the street. If a bicycle parking area is not plainly visible from the street or main building entrance, a sign shall be posted indicating the location of the bicycle parking area. Indoor bicycle parking areas shall not require stairs to access the space. If sites have more than one building, bicycle parking shall be distributed as appropriate to serve all buildings.*

Applicant's Response: Onsite bicycle parking will be distributed throughout the park and will be provided in locations that best serve park guests.

3. *All bicycle racks shall be designed so that:*

- a. *The bicycle frame is supported horizontally at two or more places.*

Applicant's Response: All bicycle racks will support frames horizontally in two or more places.

- b. *The frame and at least one wheel of the bicycle can be locked to the rack with a standard U-type lock.*

Applicant's Response: The bike racks provided in the development of the park will conform to the standard listed above.

- c. *The user is not required to lift the bicycle onto the bicycle rack.*

Applicant's Response: The bike racks provided in the development of the park will conform to the standard listed above.

d. Each bicycle parking space is accessible without moving another bicycle.

Applicant's Response: The bike racks provided in the development of the park will conform to the standard listed above.

e. It is a minimum of thirty inches tall and eighteen inches wide between the two points of contact.

Applicant's Response: The bike racks provided in the development of the park will conform to the standard listed above.

f. Provides an area of six feet by two feet per bicycle.

Applicant's Response: The bike racks provided in the development of the park will conform to the standard listed above.

g. All bicycle racks and lockers shall be securely anchored to the ground or to a structure.

Applicant's Response: The bike racks provided in the development of the park will conform to the standard listed above.

17.52.060 - Parking lot landscaping.

A. Applicability. Unless otherwise specified, construction of new parking lots and alterations of existing parking lots shall comply with parking lot landscaping standards. Parking lot landscaping requirements within this section do not apply to parking structures or parking garages, except landscaping as required in OCMC 17.62.

Applicant's Response: Parking lot landscape islands and perimeter landscape areas are provided as required in OCMC 17.62.

B. Development Standards.

1. The landscaping shall be located in defined landscaped areas that are uniformly distributed throughout the parking or loading area.

Applicant's Response: Landscape areas are uniformly distributed throughout the parking areas.

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

Applicant's Response: All areas in the parking not used for parking, etc. will be landscaped.

3. Parking lot trees shall be a mix of deciduous shade trees and coniferous trees. The trees shall be evenly distributed throughout the parking lot as both interior and perimeter landscaping.

Applicant's Response: The proposed parking lot trees consist of a mix of deciduous and coniferous trees and will be evenly distributed throughout the interior and perimeter landscaping areas.

4. Required landscaping trees shall be of a minimum two-inch minimum caliper size (though it may not be standard for some tree types to be distinguished by caliper), planted according to American Nurseryman Standards, and selected from the Oregon City Street Tree List or approved by an arborist;

Applicant's Response: The size requirements outlined above will be met.

5. *At maturity, all of the landscaped area shall be planted in ground cover plants, which includes grasses. Mulch (as a ground cover) shall only be allowed underneath plants at full growth and within two feet of the base of a tree and is not a substitute for ground cover.*

Applicant's Response: All planting areas will include grasses and groundcover plantings, as outlined and required above.

6. *Landscaped areas shall include irrigation systems unless an alternate plan is submitted, and approved by the Community Development Director, that can demonstrate adequate maintenance;*

Applicant's Response: All landscape areas will be irrigated with a permanent irrigation system.

7. *All landscaping shall be installed according to accepted planting procedures, according to American Nurseryman Standards.*

Applicant's Response: All landscaping this development will be installed according to the accepted planting procedures as outline and ANA standards.

- C. *Perimeter Parking Lot Landscaping and Parking Lot Entryway/Right-of-Way Screening. Parking lots and associated drive aisles shall include a five-foot wide landscaped buffer where the parking lot abuts the right-of-way and/or adjoining properties. In order to provide connectivity between non-single-family sites, the Community Development Director may approve an interruption in the perimeter parking lot landscaping for a single driveway where the parking lot abuts property designated as multi-family, commercial or industrial. Shared driveways and parking aisles that straddle a lot line do not need to meet perimeter landscaping requirements.*

1. *The perimeter parking lot are[a] shall include:*
 - a. *Trees spaced a maximum of thirty feet apart (minimum of one tree on either side of the entryway is required). When the parking lot is adjacent to a public right-of-way, the parking lot trees shall be offset from the street trees;*

Applicant's Response: The perimeter parking lot landscape areas will be planted as outlined above.

- b. *An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average. The hedge/shrubs shall be parallel to and not nearer than two feet from the right-of-way line. The required screening shall be designed to allow for free access to the site and sidewalk by pedestrians. Visual breaks, no more than five feet in width, shall be provided every thirty feet within evergreen hedges abutting public right-of-ways.*

Applicant's Response: An evergreen hedge will be planted in locations around the parking lot as outlined above.

- D. *Parking Area/Building Buffer. Except for parking lots with fewer than five parking stalls, parking areas (excluding drive aisles with no adjacent parking) shall be separated from the exterior wall of a structure, exclusive of pedestrian entranceways or loading areas, by one of the following:*

1. *Minimum five-foot wide landscaped planter strip (excluding areas for pedestrian connection) meeting the standards for perimeter parking lot area landscaping; or:*

Applicant's Response: A five foot wide landscaped planter strip is being provided in locations adjacent to buildings and parking lots as outlined above.

2. *Minimum seven foot sidewalks with shade trees spaced a maximum of thirty feet apart in three-foot by five-foot tree wells.*

Applicant's Response: Sidewalks with shade trees will be provided as outlined above.

- E. *Interior Parking Lot Landscaping. Surface parking lots with more than five parking stalls shall include at least forty-five square feet of interior parking lot landscaping per parking stall to improve the water quality, reduce storm water runoff, and provide pavement shade. Pedestrian walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. Fractions shall be rounded up when calculating the required number of plantings. Interior parking lot landscaping shall include:*

- a. *A minimum of one tree per four parking spaces.*

Applicant's Response: Interior landscaping, including trees, shrubs, groundcover and stormwater treatment are being provided as outlined above.

- b. *A minimum of 1.5 shrubs per parking space.*

Applicant's Response: 1.5 shrubs per parking space are being provided in landscape areas.

- c. *No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them. Landscape strips shall be provided between rows of parking shall be a minimum of six feet in width and a minimum of ten feet in length.*

Applicant's Response: No more than eight contiguous parking spaces will be created without providing an interior strip between them.

- F. *Alternative landscaping plan.*

Any applicant may propose an alternative landscaping plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. Alternative plans may include the use of low impact development techniques and minimized landscaping requirements. In such situations, the Community Development Director may approve variations to the landscaping standards of OCMC 17.52.060 in accordance with A and/or B below.

1. *General Review Standard. The alternative shall meet the standards in OCMC 17.62.015-Modifications that will better meet design review requirements.*

Applicant's Response: This application is not proposing an alternative landscaping plan.

2. *Credit for Pervious/Low Impact Development. The Community Development Director may count up to fifty percent of the square footage of any pervious hardscaped landscape material within a parking lot that is designed and approved pursuant to the City's adopted stormwater and low impact development design standards toward minimum landscaping requirements for the site. (This includes porous pavement detention, open celled block pavers, porous asphalt, porous concrete pavement, porous turf, porous gravel, etc.).*

Applicant's Response: This project is not proposing pervious paving at this time. Low Impact Developments have been included at this time but Credit is not currently being pursued.

17.52.080 - Maintenance.

The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of the site including but not limited to the off-street parking and loading spaces, bicycle parking and all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris.

All plant growth in interior landscaped areas shall be controlled by pruning, trimming, or otherwise so that:

- a. It will not interfere with the maintenance or repair of any public utility;*
- b. It will not restrict pedestrian or vehicular access; and*
- c. It will not constitute a traffic hazard due to reduced visibility.*

Applicant's Response: The applicant acknowledges that the owner will be responsible for landscape maintenance of this project.

17.52.090 - Loading areas.

B. Applicability.

OCMC 17.52.090 applies to uses that are expected to have service or delivery truck visits with a forty-foot or longer wheelbase, at a frequency of one or more vehicles per week. The City Engineer and decision maker shall determine through site plan and design review the number, size, and location of required loading areas, if any.

Applicant's Response: The project is not proposing any loading areas, therefore these standards are not applicable to the development.

C. Standards.

- 1. The off-street loading space shall be large enough to accommodate the largest vehicle that is expected to serve the use without obstructing vehicles or pedestrian traffic on adjacent streets and driveways. Applicants are advised to provide complete and accurate information about the potential need for loading spaces because the City Engineer or decision maker may restrict the use of other public right-of-way to ensure efficient loading areas and reduce interference with other uses.*

Applicant's Response: The project is not proposing any loading areas, therefore these standards are not applicable to the development.

- 2. Where parking areas are prohibited between a building and the street, loading areas or drive isles are also prohibited.*

Applicant's Response: The project is not proposing any loading areas, therefore these standards are not applicable to the development.

- 3. The City Engineer and decision maker, through site plan and design review, may approve a loading area adjacent to or within a street right-of-way when all of the following loading and unloading operations conditions are met:*
 - a. Short in duration (i.e., less than one hour);*
 - b. Infrequent (less than three operations daily between 5:00 a.m. and 12:00 a.m. or all operations between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone);*
 - c. Does not obstruct traffic during peak traffic hours;*
 - d. Does not interfere with emergency response services; and*
 - e. Is acceptable to the applicable roadway authority.*

Applicant's Response: The project is not proposing any loading areas, therefore these standards are not applicable to the development.

CHAPTER 17.54 SUPPLEMENTAL ZONING REGULATIONS AND EXCEPTIONS

17.54.100 Fences, Hedges, Walls, and Retaining Walls.

A. A fence, hedge, wall, retaining wall, or combination thereof may be located on real property, not within the right-of-way, subject to all of the following:

- 1. A fence, hedge, wall, retaining wall, or combination thereof located in front of a building may be up to 3.5-feet in total height as measured from the finished grade at any point on the fence.*
- 2. A fence, hedge, wall, located next to, or behind the forward most building, or within more than forty feet of the right-of-way, whichever is less may be up to:

 - a. Six feet in total height for residential properties with less than five units as measured from the finished grade at any point on the fence; or*
 - b. Eight feet in total height for all other uses as measured from the finished grade at any point on the fence.**
- 3. A retaining wall or combination of a fence, hedge, wall located next to and behind the forward most building, or within more than forty feet of the right-of-way, whichever is less, may be up to (as measured from the finished grade) 8.5 feet in height from the finished grade.*
- 4. Fences, hedges, and/or walls located within two feet above a retaining wall, as measured on a horizontal plane, shall be measured together for the purposes of determining height.*
- 5. Property owners shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.*
- 6. Retaining walls completely below the elevation of the right-of-way may be up to six feet in height.*
- 7. Minimum fall protection required by the Building Official, such as railings, is not included in the height of a retaining wall but must comply with the fence height requirements.*

Applicant's Response: All proposed fences, hedges, walls and retaining walls proposed with this development will conform with the standards of 17.54.100, as outlined above.

B. When no other practicable alternative exists, the City Engineer may permit a fence, hedge, wall, retaining wall, or combination thereof to be located within the right-of-way subject to all of the following:

- 1. A Revocable Permanent Obstruction in the Right of Way permit is granted per OCMC 12.04.120;*
- 2. Retaining walls, fences, or hedges comply with OCMC 17.54.100.A, unless determined to be impracticable by the City Engineer.*
- 3. The abutting property owner shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.*

Applicant's Response: No fences are being proposed in the right-of-way.

C. It is unlawful for any person to erect any electric fence or any fence constructed in whole or in part of barbed wire or to use barbed wire, except as erected in connection with security installations at a minimum height of six feet, providing further that prior written approval has been granted by the City Manager.

Applicant's Response: No electric or barbed wire fences are being proposed as a part of this development.

CHAPTER 17.62 - SITE PLAN AND DESIGN REVIEW

17.62.015 - Modifications that will better meet design review requirements.

The review body shall consider modification of certain site related development standards of this Chapter specified below. These modifications may be approved as part of a Type II design review process.

A. Applicability.

1. *This process shall apply to modifications to:*

- a. Landscaping in OCMC 17.62.050.A;*
- b. Vehicular Connections to Adjoining Properties in OCMC 17.62.050.B.2;*
- c. On-site pedestrian circulation in OCMC 17.62.050.C;*
- d. Utility Undergrounding Requirements in OCMC 16.12.095.G;*
- e. Building location in OCMC 17.62.055.D;*
- f. Building Details in OCMC 17.62.050.B.9.055.I;*
- g. Windows in OCMC 17.62.050.B.10.055.J Parking Lot Landscaping in OCMC 17.52.060.*

Applicant's Response: The project is not pursuing any modifications to the design standards in any of the categories outlined above, therefore these standards are not applicable to the development.

B. *The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:*

1. *The modification will result in a development that better meets the applicable design guidelines; and*

Applicant's Response: The project is not pursuing any modifications to the design standards in any of the categories outlined above, therefore these standards are not applicable to the development.

2. *The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Applicant's Response: The project is not pursuing any modifications to the design standards in any of the categories outlined above, therefore these standards are not applicable to the development.

17.62.030 - When required.

Site plan and design review shall be required for all development of real property in all zones except the low and medium density residential districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cluster housing developments, multi-family uses, manufactured home parks, and non-residential uses in all zones. Site Plan and Design Review does not apply to activities occurring within the right-of-way except for communication facilities pursuant to OCMC 17.80.

Site plan and design review is required for a change in use between the uses in Table 17.62.030:

Table 17.62.030

<i>Existing Use</i>	<i>Proposed Use</i>
<i>Residential</i>	<i>Nonresidential use, including but not limited to: commercial, office, industrial, retail, or institutional</i>
<i>Single-family or duplex</i>	<i>3 or more dwellings</i>

Site plan and design review shall not alter the type and category of uses permitted in the underlying zoning districts.

The general standards of section 17.62.050 do not apply to 3-4 plex, duplex, single-family attached dwellings, single-family detached residential unit, internal conversions, live/work dwelling and accessory dwelling unit Type I applications.

Applicant's Response: The project does not include any residential components, therefore these standards are not applicable to the development.

17.62.035 - Minor site plan and design review.

This section provides for a Minor Site Plan and Design Review process. Minor Site Plan review is a Type I or Type II decision, as described in OCMC 17.62.035.A., subject to administrative proceedings described in OCMC 17.50 and may be utilized as the appropriate review process only when authorized by the Community Development Director. The purpose of this type of review is to expedite design review standards for uses and activities that require only a minimal amount of review, typical of minor modifications and/or changes to existing uses or buildings.

A. Type I Minor Site Plan and Design Review.

1. *Applicability. Type I applications involve no discretion and are typically processed concurrently with a building permit application. The Type I process is not applicable for:*
 - a. *Any activity which is included with or initiates actions that require Type II-IV review.*
 - b. *Any increase in square footage of a conditional or nonconforming use (excluding nonconforming structures).*
 - c. *Any proposal in which nonconforming upgrades are required under OCMC 17.58.*
 - d. *Any proposal in which modifications are proposed under OCMC 17.62.015.*

Applicant's Response: This development will pursue a Type III Major Site Plan and Design review, therefore these standards are not applicable to the development.

B. Type II Minor Site Plan and Design Review.

1. *Type II Minor Site Plan and Design Review applies to the following uses and activities unless those uses and activities qualify for Type I review per OCMC 17.62.035.A.:*
 - a. *Modification of an office, commercial, industrial, institutional, public or multi-family structure that does not increase the interior usable space (for example covered walkways or entryways, addition of unoccupied features such as clock tower, etc.).*
 - b. *Modification to parking lot layout and landscaping, or the addition of up to five parking spaces.*
 - c. *A maximum addition of up to one thousand square feet to a commercial, office, institutional, public, multi-family, or industrial building provided that the addition is not more than thirty-five percent of the original building square footage.*
 - d. *Mobile food units in OCMC 17.54.115.*
 - e. *Other land uses and activities may be added if the Community Development Director makes written findings that the activity/use will not increase off-site impacts and is consistent with the type and/or scale of activities/uses listed above.*

Applicant's Response: This development will pursue a Type III Major Site Plan and Design review, therefore these standards are not applicable to the development.

17.62.050 - General Standards

All development shall comply with the following standards:

A. Landscaping.

1. *Existing native vegetation is encouraged to be retained to the maximum extent practicable. All plants listed on the Oregon City Nuisance Plant List shall be removed from the site prior to issuance of a final occupancy permit for the building.*

Applicant's Response: This development will retain existing native vegetation to the maximum extent practicable. Nuisance plants will be removed as a part of the development of this park.

2. *The amount of landscaping required is found in the standards for each underlying zone. Where the underlying zone does not contain and minimum landscaping standard, the minimum site landscaping shall be 15% of the total site area. Except as allowed elsewhere in Title 16 or 17 of this Code, all areas to be credited towards landscaping shall be installed with growing plant materials.*

Applicant's Response: This project will include in excess of 50% of the overall site as being landscaped.

3. *Pursuant to OCMC 17.49, landscaping requirements within the Natural Resource Overlay District, other than landscaping required for parking lots, may be met by preserving, restoring and permanently protecting native vegetation and habitat on development sites.*

Applicant's Response: To the greatest extent possible, native existing landscaping in the NROD overlay will be preserved.

4. *A landscaping plan shall be prepared by a registered landscape architect for new or revised landscaped areas and parking lots. Landscape architect approval is not required for tree removal and/or installation if the species are chosen from an approved street tree list. A certified landscape designer, arborist, or nurseryman shall be acceptable in lieu of a landscape architect for projects with less than five hundred square feet of landscaping. All landscape plans shall include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.) that within three years will cover one hundred percent of the landscape area. Plant species listed on the Oregon City Nuisance Plant list are prohibited and native species are encouraged. No mulch, bark chips, or similar materials shall be allowed at the time of landscape installation except under the canopy of shrubs and within two feet of the base of trees.*

Applicant's Response: A landscape architect will be involved in the preparation of the landscape plan for all new and revised landscape areas throughout the entire site.

5. *Landscaping shall be visible from public thoroughfares to the extent practicable.*

Applicant's Response: Landscaped areas will be highly visible from public thoroughfares.

6. *The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of OCMC 10.32, Traffic Sight Obstructions.*

Applicant's Response: No landscaping in the parking areas will obstruct lines of site. Low growing plant species will be selected and maintained to ensure safety.

B. Vehicular Access and Connectivity.

1. *Parking areas shall be located behind the building façade that is closest to the street, below buildings, or on one or both sides of buildings.*

Applicant's Response: Because this is a park with only a small restroom building, this standard is not feasible for this development.

2. *Existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements which provide connection from the right-of-way to the adjoining property shall be provided.*

Applicant's Response: Sidewalks with appropriately located crosswalks will be provided along the rights-of-ways along both Main Street and Clackamette Drive. These will provide connections to adjacent sites.

3. *Parcels larger than three acres shall provide streets as required in OCMC 16.12.*

Applicant's Response: Interior vehicular circulation will be provided in this development to ensure the safe movement of vehicles between the right-of-way and all parking areas.

4. *Parking garage entries shall not be more than half of the streetscape.*

Applicant's Response: A parking garage is not proposed with this development, therefore these standards are not applicable to the development.

C. *A well-marked, continuous and protected on-site pedestrian circulation system meeting the following standards shall be provided:*

1. *Pathways between all building entrances and the street are required. Pathways between the street and buildings fronting on the street shall be direct and not cross a drive aisle. Exceptions may be allowed by the director where steep slopes, a physically constrained site, or protected natural resources prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.*

Applicant's Response: An extensive network of pathways is being provided in the development of the park. Pathways will link newly constructed sidewalks in the right-of-way to all onsite amenities.

2. *The pedestrian circulation system shall connect all main entrances, parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities on the site. For buildings fronting on the street, the sidewalk may be used to meet this standard.*

Applicant's Response: An extensive network of pathways is being provided in the development of the park. Pathways will link newly constructed sidewalks in the right-of-way to all onsite amenities.

3. *The pedestrian circulation system shall connect the principal building entrance to those of buildings on adjacent sites, except within industrial zoning designations.*

Applicant's Response: This project does not contain a principal building, therefore these standards to are not applicable to the development.

4. *Elevated external stairways or walkways shall not extend beyond the building facade except for external stairways or walkways located in, or facing interior courtyard areas that are not visible from the street or a public access easement. This standard does not apply to sky-bridges or skyways.*

Applicant's Response: Elevated external stairways and walkways are not proposed with this development, therefore these standards do not apply to the development.

5. *On-site pedestrian walkways shall be hard surfaced, well drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be a minimum of seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the walkway shall be raised or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of*

travel. Pedestrian walkways that cross drive isles or other vehicular circulation areas shall utilize a change in textual material or height to alert the driver of the pedestrian crossing area.

Applicant's Response: All onside pedestrian walkways will be hard surfaced, well drained and eight feet wide. All pedestrian walkways will be elevated above vehicular areas.

D. All development shall maintain continuous compliance with applicable federal, state, and City standards .

Applicant's Response: This park development will maintain compliance with applicable federal, state and City standards.

E. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided pursuant to OCMC 16.12. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to City standards as set out in the City's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The City may require over sizing of facilities where necessary to meet standards in the City's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the City for over sizing based on the City's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.

Applicant's Response: The redevelopment of this park site does not include a significant increase in demand to the public water and sanitary sewer facilities. Adequate public water and sanitary sewer facilities sufficient to serve the proposed level of development will be provided pursuant to OCMC 16.12.

F. If a transit agency, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, accessible bus landing pad, lighting, or transit stop connection be constructed, or that an easement or dedication be provided for one of these uses, consistent with an agency adopted or approved plan at the time of development, the review authority shall require such improvement, using designs supportive of transit use. Improvements at a major transit stop may include intersection or mid-block traffic management improvements to allow for crossings at major transit stops, as identified in the City's Transportation System Plan.

Applicant's Response: The applicant acknowledges the statement above. However, there are no current bus stops in the rights-of-way immediately adjacent to the park property.

G. Screening of Mechanical Equipment: Commercial, mixed-use, institutional, and multi-family buildings shall include the following measures to screen or block views of mechanical equipment from adjacent streets according to the following requirements.

- 1. Rooftop mechanical equipment, including HVAC equipment and utility equipment that serves the structure, shall be screened from view from the adjacent street on all new buildings or building additions. Screening shall be accomplished through the use of parapet walls or a sight-obscuring enclosure around the equipment constructed of one of the primary materials used on the primary facades of the structure, and that is an integral part of the building's architectural design. The parapet or screen shall completely surround the rooftop mechanical equipment to an elevation equal to or greater than the highest portion of the rooftop mechanical equipment being screened from adjacent streets, as viewed from the sidewalk or*

future sidewalk location on the adjacent street at pedestrian level. In the event such parapet wall does not fully screen all rooftop equipment, then the rooftop equipment shall be enclosed by a screen constructed of one of the primary materials used on the primary facade of the building so as to achieve complete screening. Screening requirements do not apply to new or replacement equipment on existing buildings. New or replacement rooftop mechanical equipment on existing buildings shall be painted or powder-coated.

Applicant's Response: No mechanical equipment is being proposed as a part of this park development, therefore these standards do not apply to the development.

2. *Wall-mounted mechanical HVAC and air conditioning equipment, and groups of multiple utility meters shall not be placed on the front facade of a building or on a facade that faces a right-of-way. Wall-mounted mechanical equipment, including—air conditioning and groups of multiple utility meters, that extend six inches or more from the outer building wall shall be screened from view from adjacent streets; from residential, public, and institutional properties; and from public areas of the site or adjacent sites through the use of (a) sight-obscuring enclosures constructed of one of the primary materials used on the primary facade of the structure, (b) sight-obscuring fences, or (c) trees or shrubs that block at least eighty percent of the equipment from view or (d) painting the units to match the building. Wall-mounted mechanical equipment that extends six inches or less from the outer building wall shall be designed to blend in with the color and architectural design of the subject building. Vents which extend six inches or less from the outer building wall shall exempt from this standard if painted.*

Applicant's Response: No wall mounted equipment is being proposed as a part of this project, therefore these standards do not apply to the development.

3. *Ground-mounted above-grade mechanical equipment shall be screened by ornamental fences, screening enclosures, trees, or shrubs that block at least eighty percent of the view from the public right of way.*

Applicant's Response: No mechanical equipment is being proposed as a part of this project, therefore these standards do not apply to the development.

4. *This section shall not apply to the installation of solar energy panels, photovoltaic equipment, wind power generating equipment, dishes/antennas, pipes, vents, and chimneys.*

Applicant's Response: No solar, wind, dishes, antennas, pipes, vents or chimneys are being proposed as a part of this project, therefore these standards do not apply to the development.

H. Building Materials.

1. *Prohibited Materials. The following materials shall be prohibited in visible locations from the right-of-way or a public access e*

asement unless an exception is granted by the Community Development Director based on the integration of the material into the overall design of the structure.

- i. *Vinyl or plywood siding (including T-111 or similar plywood).*
- ii. *Glass block or highly tinted, reflected, translucent or mirrored glass (except stained glass) as more than ten percent of the building facade.*
- iii. *Corrugated fiberglass.*
- iv. *Chain link fencing (except for temporary purposes such as a construction site, gates for a refuse enclosure, stormwater facilities, when excepted by 17.62.050.H.2.vii, or when located on properties within the General Industrial District).*
- v. *Crushed colored rock/crushed tumbled glass.*

- vi. *Non-corrugated and highly reflective sheet metal.*
- vii. *Tarps, except for the protection of outside storage.*

Applicant's Response: None of the above listed prohibited building materials are being proposed as a part of this project, therefore these standards do not apply to this development.

2. *Special Material Standards. The following materials are allowed if they comply with the requirements found below:*
- i. *Concrete Block. When used for the front façade of any building, concrete blocks shall be split, rock- or ground-faced and shall not be the prominent material of the elevation. Plain concrete block or plain concrete may be used as foundation material if the foundation material is not revealed more than three feet above the finished grade level adjacent to the foundation wall.*
 - ii. *Metal Siding. Metal siding shall have visible corner moldings and trim and incorporate masonry or other similar durable/permanent material near the ground level (first two feet above ground level) except when used for a temporary structure.*
 - iii. *Exterior insulation and finish system (EIFS) and similar troweled finishes shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.*
 - iv. *Building surfaces shall be maintained in a clean condition and painted surfaces shall be maintained to prevent or repair peeling, blistered or cracking paint.*
 - v. *Membrane or fabric covered storage areas are permitted as temporary structures, excluding the use of tarps.*
 - vi. *Vinyl or powder coated chain link fencing is permitted for City-owned stormwater management facilities, reservoirs, and other public works facilities such as pump stations, maintenance yards, and storage yards not located within the General Industrial District.*
 - vii. *Chain link fencing is permitted in the following circumstances:*
 - 1. *Within City-owned parks and recreational facilities*
 - 2. *On any property when used for a baseball or softball backstop or dugout, track and field facility, or sports court.*

Applicant's Response: The project includes new picnic shelters. The materials of the proposed picnic shelters will match the materials of picnic shelters recently installed at parks in Oregon City, including Tyrone S. Woods and Hazel Grove.

17.62.055 –Institutional, office, multi-family, retail, and commercial building standards.

B. Applicability. This section applies to institutional, office, multi-family, retail and commercial buildings except accessory structures less than one thousand square feet and temporary structures. .

Applicant's Response: This is a park, therefore these standards do not apply to the project.

C. Conflicts. With the exception of standards for building orientation and building front setbacks, in the event of a conflict between a design standard in this section and a standard or requirement contained in the underlying zoning district, the standard in the zoning district shall prevail.

Applicant's Response: This is a park, therefore these standards do not apply to the project.

D. Siting of Structures. On sites with one hundred feet or more of frontage at least sixty percent of the site frontage width shall be occupied by buildings placed within five feet of the property line. For sites with less than one hundred feet of street frontage, at least fifty percent of the site frontage width shall be occupied by buildings placed within five feet of the property. Multi-family developments shall be

placed no farther than twenty feet from the front property line. This section does not apply to properties with less than forty feet of frontage.

Applicant's Response: This is a park, therefore these standards do not apply to the project.

A larger front yard setback may be approved through site plan and design review if the setback area incorporates at least one element from the following list for every five feet of increased setback requested:

- 1. Tables, benches or other approved seating area.*
- 2. Cobbled, patterned or paved stone or enhanced concrete.*
- 3. Pedestrian scale lighting.*
- 4. Sculpture/public art.*
- 5. Fountains/Water feature.*
- 6. At least twenty square feet of landscaping or planter boxes for each tenant facade fronting on the activity area.*
- 7. Outdoor café.*
- 8. Enhanced landscaping or additional landscaping.*
- 9. Other elements, as approved by the Community Development Director, that can meet the intent of this section.*

Applicant's Response: This is a park, therefore these standards do not apply to the project.

E. Building Orientation. All buildings along the street frontage shall face the front most architecturally significant facade toward the street and have a functional primary entrance facing the street. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.

Applicant's Response: This is a park, therefore these standards do not apply to the project.

F. Entryways. Entrances shall include a doorway and a minimum of four of the following elements:

- 1. Display windows;*

Recesses or projections; Peaked roof or raised parapet over the door; Canopy of at least five feet in depth; Porch; Distinct materials; Architectural details such as tile work and moldings; Pedestrian amenities such as benches, planters or planter boxes; Landscape treatments integrating arbors, low walls, trellis work; or Similar elements. Trellises, canopies and fabric awnings may project up to five feet into front setbacks and public rights-of-way, provided that the base is not less than eight feet at the lowest point and no higher than ten feet above the sidewalk.

Applicant's Response: This is a park, therefore these standards do not apply to the project.

G. Corner Lots.

For buildings located at the corner of intersections, the primary entrance of the building shall be located at the corner of the building or within twenty-five feet of the corner of the building. Additionally, one of the following treatments shall be required:

- 1. Incorporate prominent architectural elements, such as increased building height or massing, cupola, turrets, or pitched roof, at the corner of the building or within twenty-five feet of the corner of the building.*
- 2. Chamfer the corner of the building (i.e. cut the corner at a forty-five degree angle and a minimum of ten feet from the corner) and incorporate extended weather protection (arcade or awning), special paving materials, street furnishings, or plantings in the chamfered area.*
- 3. Standards 1 and 2 above do not apply to vertically attached 3-4 plexes, multi-family buildings or multi-family portions of residential mixed-use buildings.*

Applicant's Response: This is a park, therefore these standards do not apply to the project.

H. Variation in Massing. For street facing facades greater than 120 feet in length a modulation is required which extends through all floors. Decks and roof overhangs may encroach up to three feet per side into the modulation. The modulation shall meet one of the following dimensional requirements:

- 1. A minimum depth of two percent of the length of the façade and a minimum width of thirty percent of the length of the façade; or*
- 2. A minimum depth of four percent of the length of the façade and a minimum width of twenty percent of the length of the façade.*

Applicant's Response: This is a park, therefore these standards do not apply to the project.

I. Building Design Elements.

- 1. All front and side facades shall provide a design element or architectural feature that add interest and detail such that there are no blank walls of thirty feet in length or more, measured horizontally. Features that can meet this requirement include:*
 - a. Change in building material or texture;*
 - b. Window or door;*
 - c. Balcony; or*
 - d. Pillar or post*

Applicant's Response: This is a park, therefore these standards do not apply to the project.

- 2. Street facing facades shall include additional design features. For every thirty feet of façade length, three of the following elements are required:*
 - a. Decorative materials on more than ten percent of the total wall area (e.g., brick or stonework, shingles, wainscoting, ornamentation, and similar features);*
 - b. Decorative cornice and/or roof line (e.g., for flat roofs);*
 - c. Roof gable;*
 - d. Recessed entry;*
 - e. Covered canopy entry;*
 - f. Cupola or tower;*
 - g. Dormer;*
 - h. Balcony;*
 - i. Pillars or posts;*
 - j. Repeating pattern of building materials;*
 - k. A change in plane of at least two feet in width and six inches in depth;*
 - l. Bay or oriel window; or*
 - m. An alternative feature providing visual relief and detail as approved by the Community Development Director*

Applicant's Response: This is a park, therefore these standards do not apply to the project.

- 3. Building Detail Variation. Architectural features shall be varied on different buildings within the same development. At least two of the required features on each street-facing elevation shall be distinct from the street-facing elevations of other buildings within the same development.*

Applicant's Response: This is a park, therefore these standards do not apply to the project.

J. Windows.

1. *The minimum windows requirements are set forth in Table 17.62.055.J. Windows are measured in lineal fashion between 3.5 feet and six feet from the ground. For example, a one hundred foot long building elevation would be required to have at least sixty feet (sixty percent of one hundred feet) of windows in length between the height of 3.5 feet and six feet from the ground.*

Table 17.62.055.J Minimum Windows				
Use	Ground Floor: Front and Street Facing Facades	Upper floor(s): Front and Street Facing Facades	Ground Floor: Side(s) Facades	Upper Floor(s): Side(s) Facades
Non-Multi-Family (or Portions of Buildings Thereof)	60%	10%	30%	10%
Multi-Family (or Portions of Buildings Thereof)	15%	15%	10%	10%

Applicant's Response: No windows are being proposed on this project, therefore these standards do not apply to the development.

2. *Reflective, glazed, mirrored or tinted glass is limited to ten percent of the lineal footage of windows on the street facing facade. Highly reflective or glare-producing glass with a reflective factor of one-quarter or greater is prohibited on all building facades. Any glazing materials shall have a maximum fifteen percent outside visual light reflectivity value. No exception shall be made for reflective glass styles that appear transparent when internally illuminated.*

Applicant's Response: No windows are being proposed on this project, therefore these standards do not apply to the development.

3. *Side walls that face walkways may include false windows and door openings only when actual doors and windows are not feasible because of the nature of the use of the interior use of the building. False windows located within twenty feet of a right-of-way shall be utilized as display windows with a minimum display depth of thirty-six inches.*

Applicant's Response: No windows are being proposed on this project, therefore these standards do not apply to the development.

4. *Multi-family windows shall incorporate window trim at least four inches in width when surrounded by horizontal or vertical lap siding.*

Applicant's Response: No windows are being proposed on this project, therefore these standards do not apply to the development.

- K. *Roof Treatments. The maximum length of any continuous roofline on a street-facing façade shall be seventy-five feet without a cross gable or change in height of at least two feet.*

Applicant's Response: No buildings of this scale are being proposed, therefore these standards do not apply to the development.

- L. *Drive-through facilities shall:*

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

Applicant's Response: No drive-through facilities are being proposed with this project, therefore these standards do not apply to the development.

M. Special development standards along transit streets.

1. *Purpose. This section is intended to provide direct and convenient pedestrian access to retail, office and institutional buildings from public sidewalks and transit facilities and to promote pedestrian and transit travel to commercial and institutional facilities.*
2. *Applicability. Except as otherwise provide in this section, the requirements of this section shall apply to the construction of new retail, office and institutional buildings which front on a transit street.*
3. *Development Standards.*
 - a. *All buildings shall have at least one main building entrance oriented towards the transit street. A main building entrance is oriented toward a transit street if it is directly located on the transit street, or if it is linked to the transit street by an on-site pedestrian walkway that does not cross off-street parking or maneuvering areas.*
 - i. *If the site has frontage on more than one transit street, or on a transit street and a street intersecting a transit street, the building shall provide one main building entrance oriented to the transit street or to the corner where the two streets intersect.*
 - ii. *For building facades over three hundred feet in length on a transit street, two or more main building entrances shall be provided as appropriate and oriented towards the transit street.*
 - b. *In the event a requirement of this section conflicts with other requirements in Title 17, the requirements of this section shall control.*
4. *Exemptions. The following permitted uses are exempted from meeting the requirements of subsection 3. of this section:*
 - a. *Heavy equipment sales;*
 - b. *Motor vehicle service stations, including convenience stores associated therewith; or*
 - c. *Solid waste transfer stations.*

Applicant's Response: The project is not adjacent to a transit oriented street, therefore these standards do not apply to the development.

17.62.056 - Additional standards for large retail establishments.

Retail building(s) occupying more than ten thousand gross square feet of floor area

shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following:

- A. *Patio/seating area;*
- B. *Pedestrian plaza with benches;*
- C. *Transportation center;*
- D. *Window shopping walkway;*
- E. *Outdoor playground area;*
- F. *Kiosk area, water feature;*
- G. *Clock tower; or*
- H. *Other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the appropriate decision maker, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principle materials of the building and landscape.*

Applicant's Response: The project does not include a large retail establishment, therefore these standards do not apply to the development.

17.62.057 - Multifamily Usable Open Space Requirements

B. Open Space Required. All new multi-family developments in all zones shall provide usable open space.

- 1. In residential zones, each development shall provide a minimum of one hundred square feet of open space per dwelling unit.*

Applicant's Response: This project does not include any multi-family development, therefore these standards do not apply to the development.

- 2. In non-residential, commercial and mixed-use zones, each development shall provide a minimum of fifty square feet of open space per dwelling unit.*

Applicant's Response: No dwelling units are being proposed with this project, therefore this standard does not apply to the project.

- 3. Required setback areas shall not count toward the open space requirement unless setback areas are incorporated into spaces that meet all other requirements of this section.*

Applicant's Response: This project does not have structures with a required setback, therefore this standard does not apply to the development.

- 4. Required open space areas may be counted towards both the open space requirements and the minimum landscaping requirements in OCMC 17.62.050.A, if the spaces meet the requirements of both sections.*

Applicant's Response: The applicant acknowledges the opportunity to combine required areas as noted above.

C. Usable Open Space Types.

- 1. Common open spaces shall be accessible to all residents of the development and include landscaped courtyards, decks, gardens with pathways, children's play areas, common rooftop decks and terraces, and other multipurpose recreational or green spaces.*

Applicant's Response: This project does not include any residential units, therefore these standards do not apply to the development.

Common open spaces may be used to meet one hundred percent of the usable open space requirement. Design standards:

- a. Minimum dimensions for common open space shall be twelve feet with a minimum size of two hundred square feet for developments with twenty units or less, and twenty feet with a minimum size of four hundred square feet for developments with twenty-one or more units.*

Applicant's Response: This project does not include any residential units, therefore these standards do not apply to the development.

- b. Common open space shall feature a mix of natural and recreational amenities to make the area more functional and enjoyable for a range of users. Sites with twenty units or less shall provide a minimum of two of the following amenities, and sites with twenty-one units or more shall provide a minimum of three of the following amenities and an additional amenity for every twenty units over forty, rounded up.*

- 1. Landscaping areas.*
- 2. Community gardening areas.*
- 3. Large trees expected to reach over eighteen inches dbh at maturity.*
- 4. Seating.*

5. *Pedestrian-scaled lighting.*
6. *Hard-surfaced pedestrian paths in addition to those required for internal pedestrian circulation.*
7. *Paved courtyard or plaza.*
8. *Gazebos or other decorative shelters.*
9. *Play structures for children.*
10. *Sports courts.*
11. *An alternative amenity as approved by the Community Development Director.*

Applicant's Response: This project does not include any residential units, therefore these standards do not apply to the development.

- c. *Common open space shall be separated from ground level windows, streets, service areas and parking lots with landscaping, low-level fencing, and/or other treatments as approved by the City that enhance safety and privacy for both the common open space and dwelling units.*

Applicant's Response: This project does not include any residential units, therefore these standards do not apply to the development.

- d. *Common open space shall be accessible from the dwelling units and, as appropriate, from public streets and sidewalks. The space shall be oriented to encourage activity from local residents.*

Applicant's Response: This project does not include any residential units, therefore these standards do not apply to the development.

2. *Private open space that is not open to all residents includes balconies, patios, and other outdoor multi-purpose recreational or green spaces. It may be used to meet up to fifty percent of the usable open space requirement.*
 - a. *Minimum dimensions for private open space shall be five feet with a minimum size of forty square feet.*

Applicant's Response: This project does not include any residential units, therefore these standards do not apply to the development.

3. *Indoor recreational space may be used to meet up to twenty-five percent of the usable open space requirement provided the space is:*
 - a. *Accessible to all dwelling units.*
 - b. *Designed for and includes equipment for a recreational use (e.g., exercise, group functions, etc.).*

Applicant's Response: This project does not include any residential units, therefore these standards do not apply to the development.

17.62.059 - Cluster housing.

All cluster housing shall comply with the standards in Chapter 17.20.020 in addition to the standards in this chapter.

Applicant's Response: This project does not include any residential units, therefore these standards do not apply to the development.

17.62.065 - Outdoor lighting.

B. Applicability.

1. *General.*

- a. *All exterior lighting for any type of commercial, mixed-use, industrial, institutional, or multi-family development shall comply with the standards of this section, unless excepted in subsection B.3.*
- b. *The City Engineer or Public Works Director shall have the authority to enforce these regulations on private property if any outdoor illumination is determined to present an immediate threat to the public health, safety and welfare.*

Applicant's Response: Lighting at the park will comply with 17.62.065 including parking lot lighting and path lighting.

2. *Lighting Plan Requirement. All commercial, industrial, mixed-use, cottage housing and multi-family developments shall submit a proposed exterior lighting plan. The plan shall be submitted concurrently with the site plan. The exterior lighting plan shall include plans and specifications for streetlights, parking lot lights, and exterior building lights. The specifications shall include details of the pole, fixture height and design, lamp type, wattage, and spacing of lights.*

Applicant's Response: A lighting plan will be submitted with the Tyle III review.

3. *Excepted Lighting. The following types of lighting are excepted from the requirements of this section.*
- a. *Residential lighting for single-family attached and detached homes, and duplexes*
 - b. *Public street and right-of-way lighting.*
 - c. *Temporary decorative seasonal lighting provided that individual lamps have a light output of sixty watts or less.*
 - d. *Temporary lighting for emergency or nighttime work and construction.*
 - e. *Temporary lighting for theatrical, television, and performance areas, or for special public events.*
 - f. *Lighting for a special district, street, or building that, according to an adopted municipal plan or ordinance, is determined to require special lighting aesthetics as part of its physical character.*
 - g. *Lighting required and regulated by the Federal Aviation Administration.*

Applicant's Response: The project is not pursuing any of the above exceptions, therefore these standards do not apply to this development.

C. *Design and Illumination Standards.*

1. *Outdoor lighting, if provided, shall be provided in a manner that enhances security, is appropriate for the use, avoids adverse impacts on surrounding properties, and the night sky through appropriate shielding as defined in this section. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 footcandles of light as measured at the property line.*

Applicant's Response: The project lighting will comply with the design and illumination standards outlined above.

2. *Lighting shall be provided in parking lots and vehicular circulation areas.*

Applicant's Response: At this park development, pole lighting will be provided in parking lots and at vehicular circulation areas.

3. *Lighting shall be provided in pedestrian walkways, pedestrian plazas, and pedestrian circulation areas.*

Applicant's Response: At the park development, lighting will be provided along pedestrian walkways, at pedestrian plazas and along pedestrian circulation areas.

4. Lighting shall be provided at all building entrances.

Applicant's Response: Lighting will be provided at the entrance of the restroom building.

5. With the exception of pedestrian scale lighting, all light sources shall be concealed or shielded with a full cut-off style fixture in order to minimize the potential for glare and unnecessary diffusion on adjacent property.

Applicant's Response: The project will comply with the light shielding requirements as outlined above.

6. The maximum height of any lighting pole serving a multi-family residential use shall be twenty feet. The maximum height serving any other type of use shall be twenty-five feet, except in parking lots larger than five acres, the maximum height shall be thirty-five feet if the pole is located at least one hundred feet from any residential use.

Applicant's Response: The light poles on this project will comply with the height limitations as outlined above.

7. Floodlights shall not be utilized to light all or any portion of a building facade between 10 p.m. and 6 a.m.

Applicant's Response: Floodlights will not be utilized to light all or any portion of a building façade at this park project.

8. Lighting on outdoor canopies shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy.

Applicant's Response: The lighting at the outdoor picnic shelters will be fully recessed into the roof structure.

9. All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non-operating hours.

Applicant's Response: The project will comply with the lighting standard as outlined above.

10. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.

Applicant's Response: Any illumination of flags, statues or other such similar objects will comply with the standard as outlined above.

11. For upward-directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the building roofline.

Applicant's Response: No up-lighting will be utilized at the park.

12. No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting.

Applicant's Response: No flickering or flashing lighting will be utilized at the park.

13. Lighting for outdoor recreational uses such as ball fields, playing fields, tennis courts, and similar uses, are allowed a light post height up to eighty feet in height.

Applicant's Response: Any lighting of outdoor recreational activities as listed above will comply with the light post height requirement as outlined above.

14. Main building entrances shall be well lighted and visible from any transit street. The minimum lighting level for building entries fronting on a transit street shall be three foot-candles.

Applicant's Response: This project is not adjacent to a transit street, therefore these standards do not apply to the development.

17.62.085 - Refuse and recycling standards for commercial, industrial, office, institutional, and multi-family developments.

The purpose and intent of these provisions is to provide an efficient, safe and convenient refuse and recycling enclosure for the public as well as the local collection firm. All new development, change in property use, expansions or exterior alterations to uses, other than single-family or duplex residences, single-family attached dwellings, 3-4 plexes, internal conversions, or accessory dwelling units (ADUs), shall include a refuse and recycling enclosure. The area(s) shall be:

- A. Fully enclosed and visually screened;*
- B. Located in a manner easily and safely accessible by collection vehicles;*
- C. Located in a manner so as not to hinder travel lanes, walkways, streets or adjacent properties;*
- D. On a level, hard surface designed to discharge surface water runoff and avoid ponding;*
- E. Maintained by the property owner;*
- F. Used only for purposes of storing solid waste and recyclable materials;*
- G. Designed in accordance with applicable sections of the Oregon City Municipal Code (including OCMC 8.20—Solid Waste Collection and Disposal) and city adopted policies.*

Enclosures are encouraged to be sized appropriately to meet the needs of current and future tenants and designed with sturdy materials which are compatible to the primary structure(s).

Applicant's Response: Any trash enclosures included with the development of this project will comply with all of the requirements as outlined above.

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.*

Applicant's Response: This project is 27 acres in size and therefore requires a Master Plan.

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.*

Applicant's Response: A preapplication conference for the General Development Plan was held on 9.28.2022. A subsequent preapplication conference will be held at a future date, prior to the submittal of the Detailed Development Plan.

- 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.*

Applicant's Response: This application is for the General Development Plan and will be reviewed under a Type III procedure pursuant to OCMC 17.65.080.

- 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.*

Applicant's Response: The application for the Detailed Development Plan will be made at a future date, in accordance with the requirements above.

- 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.*

Applicant's Response: This project is not pursuing a concurrent application, therefore this standard does not apply to the development.

- 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.*

Applicant's Response: The development of the entire site will be included in this General Development Plan. It is not being segmented into discrete parts.

- 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.*

Applicant's Response: The applicant acknowledges the duration of the proposed General Development Plan as outlined above.

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 x 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 one-half inches x 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 x 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 x eleven in size, and black and white reproducible.*

Applicant's Response: The project site is located at the confluence of the Clackamas and Willamette Rivers and is at the far northwest corner of Oregon City. The site has been developed and used as a park for many decades. The improvements have included boat launches in multiple spaces, an RV park, pedestrian paths, vehicular circulation and parking, open space lawn areas, a play area, a skate park, a large horseshoe facility and other miscellaneous improvements. The lot on the east side of Clackamette Drive, currently owned by the City, has served as overflow parking and special event space.

The park is owned by the Oregon City Parks Department. The onsite building inventory includes an existing restroom building, two picnic shelters and a coverings over some of the horseshoe pits. There

are currently 75 designated and informal parking spaces. The designated spaces are in striped asphalt parking lots near the main entry into the park and near the boat ramp. The informal parking occurs at the gravel shoulders along the RV park access road. There are 46 boat trailer parking spaces adjacent to the boat ramp. Bicycle parking is not currently provided at the park. There are numerous existing trees, largely consisting of black cottonwoods with lesser numbers of ash, maple and other species. The park currently has several acres of open lawn space. (Natural cultural/ historical resources that appear on the city's adopted Goal 5 inventory will not be disturbed in the redevelopment of Clackamette Park. There are steep slopes located along the perimeter of the site, in some of the areas nearest to the river. Some of these slopes are categorized as geologic hazards pursuant to OCMC 17.44.

The park is currently served by domestic water, sanitary sewer, storm lines and electrical connections. There is a 12" domestic water line in Main Street with a 4" cast iron tap to the park site. This currently serves the restroom facility and the irrigation system. There is one sanitary connection from the restroom to the 12" sanitary line located in Main Street and one connection from the RV dump station to the line in Main Street. There is an 8" storm line on the site that connects to the storm line in Main Street.

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.*
 - 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.*

- 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.*
 - 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.*
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.*

Applicant's Response:

The proposed duration of the General Development plan is 20 years. The improvements shown on the General Development site plan may be phased but specific phasing, staging and timing has not yet been determined. The proposed development is consistent with OCMC 17.65 as outlined specifically in the preceding General Development Plan narrative. The proposed site use will remain the same as the existing site use, a community park. The analysis of the transportation impacts are outlined in the attached Transportation Analysis Letter. Public Facilities impacts have been addressed in prior sections. The park improvements included in this General Development Plan will have a positive impact in the Neighborhood Livability, updating a well-used park and well-loved park, creating additional opportunities to access the Clackamas and Willamette Rivers and to encounter nature.

- 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.*

Applicant's Response: The applicant acknowledges that the General Development Plan will be required to be consistent with OCMC 17.65.

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

Applicant's Response: The applicant acknowledges that the development will be required to be consistent with OCMC 12.04, 16.12 and 17.62

- 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.*

Applicant's Response: The proposed intensity level of development does not vary significantly from the existing intensity level of development. The existing levels of public services being provided will be sufficient for the proposed park development.

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.*

Applicant's Response: The proposed General Development Plan protects all inventoried Gal 5 resources within the project boundary.

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.*

Applicant's Response: The proposed General Development Plan adequately mitigates identified impacts from the entirety of the development.

6. *The proposed general development plan is consistent with the Oregon City Comprehensive Plan.*

Applicant's Response: The proposed General Development Plan is consistent with the Oregon City Comprehensive plan.

7. *The proposed general development plan is consistent with the underlying zoning district(s) and any applicable overlay zone or concept plans.*

Applicant's Response: The proposed general development plan is consistent with the underlying zoning district. The proposed General Development Plan does not significantly alter the site usage from its current usage.

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.*

Applicant's Response: This project does not include a residential component, therefore this standard does not apply to the development.

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

Applicant's Response: This project does not include a residential component, therefore this standard does not apply to the development.

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

Applicant's Response: This project does not include a residential component, therefore this standard does not apply to the development.

- 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.*

Applicant's Response: This project does not include a residential component, therefore this standard does not apply to the development.

- 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.*

Applicant's Response: This project does not include a residential component, therefore this standard does not apply to the development.

- 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.*

Applicant's Response: This project does not include a residential component, therefore this standard does not apply to the development.

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.*

Applicant's Response: This project does not include a residential component, therefore this standard does not apply to the development.

17.65.060 - Detailed development plan.

A. Submittal Requirements.

1. *A transportation impact study documenting the on- and off-site transportation impacts, as specified in OCMC 17.65.050.B.1.h1. If such an analysis was submitted as part of the general development plan process, the scope of the report may be limited to any changes which have occurred during the interim and any information listed below which was not a part of the initial study.*
The on-site portion of the analysis shall include the location, dimensions and names of all proposed streets, alleys, other public ways, sidewalks, bike routes and bikeways, pedestrian/bicycle access ways and other pedestrian and bicycle ways, transit streets and facilities, neighborhood activity centers, and easements on and within two hundred fifty feet of the boundaries 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.
2. *The location within the development and in the adjoining streets of existing and proposed sewers, water mains, culverts, drain pipes, underground electric, cable television and telephone distribution lines, gas lines, and the location of existing aerial electric, telephone and television cable lines, if any, to be relocated within the development.*
3. *For portions of the project that would otherwise be subject to Site Plan and Design Review, a site plan or plans, to scale, containing the required information identified in OCMC 17.62.040:*

4. *For residential portions of the project not otherwise subject to Site Plan and Design Review, a site plan or plans, to scale, showing the proposed land uses and densities, building locations, lot patterns, circulation patterns, and open space locations and uses.*
5. *Any other information the community development director deems necessary to show that the proposed development will comply with all of the applicable Chapter 17 requirements.*
- B. *Approval Criteria. The Community Development Director shall approve an application for detailed development plan approval only upon findings that:*
 1. *All development standards and impact mitigation meet the requirements of the approved general development plan, including conditions of approval.*
 2. *Any other applicable zoning regulations that are not addressed in the general development plan are met, unless an adjustment to those regulations has been applied for and is approved. The approval standards applicable to adjustments required as part of a master plan or planned unit development are contained in OCMC 17.65.070.*
 3. *The detailed development plan conforms with the base zone standards, applicable residential design standards, and applicable standards contained in Chapter 17.62, 17.52, 16.12, and 16.08 unless adjusted as provided in OCMC 17.65.070.*

Applicant's Response: The applicant acknowledges the requirements of the Detailed Development Plan as outlined above. This information will be included at a future date in conjunction with the submission of the Detailed Development Plan.

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.*

Applicant's Response: The applicant is not requesting any adjustments at this time, therefore these standards do not apply to this project.

- 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.*

Applicant's Response: The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

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.*

Applicant's Response: The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

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;*

Applicant's Response: The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

- 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;*

Applicant's Response: The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

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

Applicant's Response: The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

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

Applicant's Response: The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

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

Applicant's Response: The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

6. *The proposed adjustment is consistent with the Oregon City Comprehensive Plan and a concept plan if applicable .*

Applicant's Response: The applicant is not requesting any adjustments for the project at this time, therefore these standards do not apply to this development.

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.*

Applicant's Response: The applicant acknowledges the amendment requirements as outlined above.

- 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.*

Applicant's Response: The applicant acknowledges the amendment requirements as outlined above.

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.

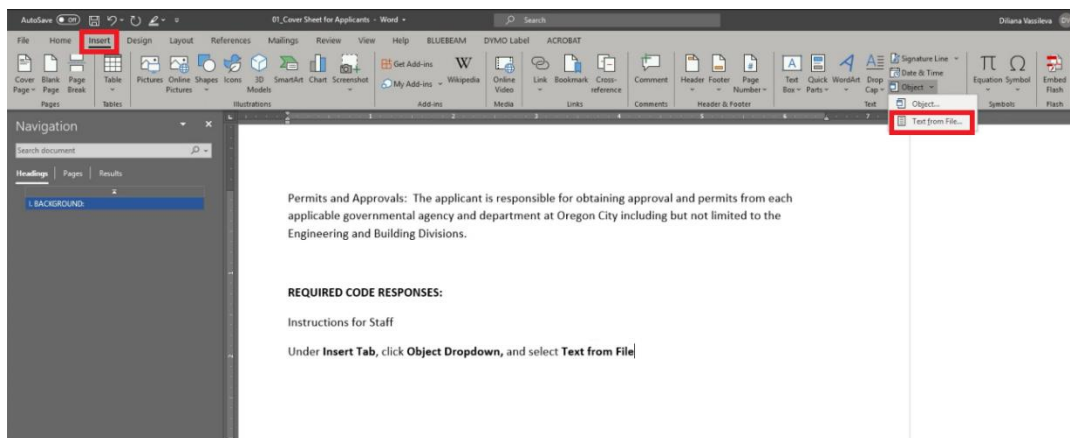
Applicant's Response: The applicant acknowledges the effective date of the General Development Plan relative to the land use regulations that will govern the development of the project site.

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Instructions for Staff to Insert Applicable Code Chapters into this Document

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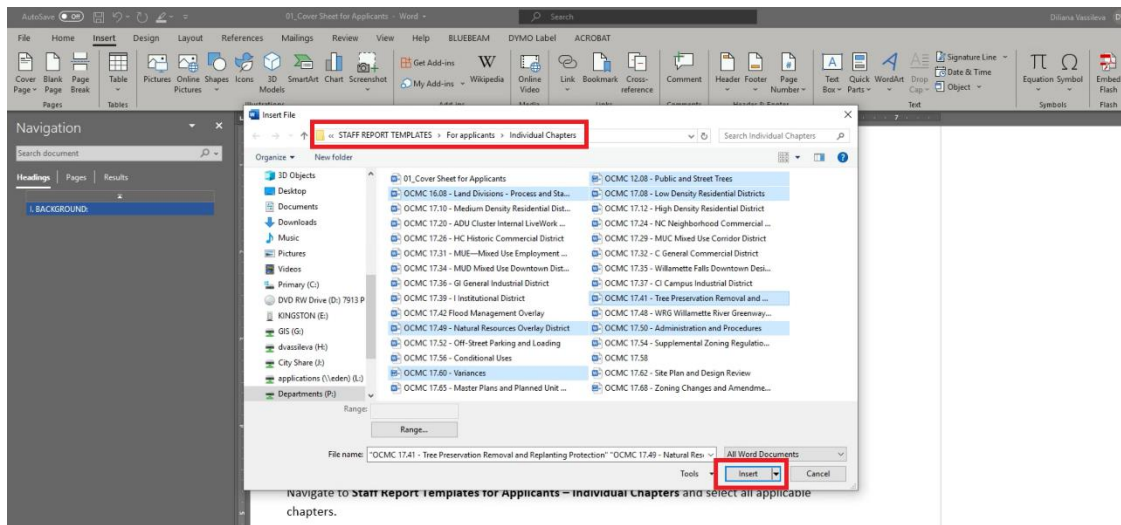
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Navigate to **Staff Report Templates for Applicants – Individual Chapters** and select all applicable chapters.

You can hold down control to select multiple chapters at once. Word may not always let you add all of the chapters at once depending on how much text there is, but I've had no issues doing 5 or 6 at a time.

Once you click **Insert**, all of the text from the chapters will be inserted into the document.



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May 17, 2023

Project #: 28597

Brian Martin
Lango Hansen Landscape Architects
1100 NW Glisan #3A
Portland, OR 97209

RE: Clackamette Park Master Plan - Transportation Analysis Letter

Dear Brian,

Lango Hansen Landscape Architects is proposing to expand and enhance Clackamette Park through a Master Planning effort. Clackamette Park is located on the northwest corner of Oregon City Shopping Drive and Main Street and is subject to Oregon City's Master Plan review requirements. City staff determined that a Transportation Analysis Letter (TAL) is required to support the master plan application.

This letter states the requirements for a TAL and subsequently provides documentation in fulfillment of each.

1. *The expected trip generation of the proposed development including the AM peak hour, the PM peak hour, and daily traffic with appropriate documentation and references.*

Trip rates for the existing and proposed facilities were assessed considering traffic counts conducted at the existing park in 2023 as well as available national average trip rates for similar land uses.

Turning movement counts were collected in January 2023 at the Clackamette Park driveway entrance on Main Street on a weekday from 7:00 AM to 7:00 PM. The traffic counts were used to establish the existing trip generation of the park; however, the boat ramp was closed at the time of collection and the number of recreational vehicle park vehicles were not known.

The proposed park master plan features several changes including:

- expansion of the existing public park space (may result in incremental increase in site trips)
- a reduction in the number of recreational vehicle park sites (will reduce site trips)
- relocating/re-opening the boat ramp with expanded parking (will increase site trips)
- one basketball court (amenity for existing users, may result in incremental increase in site trips)
- expansion of the skateboard park (amenity for existing users, may result in some increase in site trips)
- removal of the RV waste dump station (will reduce site trips)

On balance, the changes listed above are expected to result in an overall increase in site trip generation.

Recognizing the January 2023 traffic counts can not be directly extrapolated to represent the proposed new uses, trip estimates for the existing park were prepared using average trip rates obtained from the *Trip Generation Manual, 11th Edition* (Reference 1).

There is no single land use within the *Trip Generation Manual* that is a direct surrogate for Clackamette Park so a combination of uses was selected to estimate park trips. In addition to assessing trip rates for Campground/Recreational Vehicle Park facilities based on occupied camp sites, Public Park and Marina trip data were evaluated and used in combination to estimate future Clackamette Park trips.

Per the *Trip Generation Manual*, the individual uses are defined as follows:

Campground/Recreational Vehicle Park: A campground/recreational vehicle park is a recreational site that accommodates campers, trailers, tents, and recreational vehicles on a transient basis. They are found in a variety of locations and provide a variety of facilities, often including restrooms with showers and recreational facilities, such as a swimming pool, convenience store, and laundromat.

Public Park: A public park is owned and operated by a municipal, county, state, or federal agency. The parks surveyed vary widely as to location, type, and number of facilities, including boating or swimming facilities, beaches, hiking trails, ball fields, soccer fields, campsites, and picnic facilities. Seasonal use of the individual sites differs widely as a result of the varying facilities and local conditions, such as weather. For example, some of the sites are used primarily for boating or swimming; others are used for softball games.

Marina: A marina is a public or private facility that provides docks and berths for boats and may include limited retail and restaurant space.

The *Trip Generation Manual* does not provide trip rates for a basketball court or skateboard park within a park setting such as Clackamette Park, nor does it provide a basis for assessing internal trip sharing within a park facility. Lacking alternative data, the analysis presented in this TAL assumes the added basketball court and skateboard park serve as amenities to park visitors already making use of the site facilities and thus are captured in the public park trip generation.

Recognizing the existing trip generation captured in the January 2023 counts does not include trips generated from the boat ramp and that an unknown number of recreational vehicles were parked at the time of the January data collection (not peak seasonal demand), the total proposed trips for the Master Plan site were developed by adding the three *Trip Generation Manual* uses to the existing measured site trips.

Table 1 presents the trip estimates derived using the *Trip Generation Manual* and the January traffic counts. Note that no trip reduction was assumed for the RV waste dump station that will be removed with Master Plan site development. Note also that the Public Park trip rates result in no additional trips – this is a reflection of the limited data within the *Trip Generation Manual* for this use and the relatively low trip rate per acre associated with the sites surveyed.

Table 1: Clackamette Park Master Plan Trip Generation Estimates

Land Use	ITE Code	Size	Units	Weekday Daily	Weekday AM Peak Hour			Weekday PM Peak Hour		
					Total	In	Out	Total	In	Out
Existing Uses (Turning Movement Counts)										
Clackamette Park (2023 Traffic Counts)				990 ¹	33	16	17	99	52	47
Proposed Uses										
Campground/Recreational Vehicle Park	416	18	Occupied Campsites	49 ¹	4	1	3	5	3	2
Public Park	411	2.1	Acres	2	0	0	0	0	0	0
Marina	420	61	Berths ³	147	4	1	3	13	8	5
Proposed Added Trips				198	8	2	6	18	11	7
Net New Trips (Proposed + Existing Trips)				1,188	41	18	23	117	63	54

¹ Weekday daily counts were assumed to be 10 times the weekday PM peak hour.

² Public Park size does not include marina parking space and RV parking area.

³ Trip rates for the Marina land use were used to estimate trips generated by the boat ramps, where provided trailer parking was used in place of berths.

As shown in Table 1, the proposed Master Plan changes to the park are estimated to generate an additional 198 daily trips including 8 weekday AM peak hour trips and 18 weekday PM peak hour trips.

2. *Site plan showing the location of all access driveways, private streets, or alleys where they intersect with public streets plus driveways of abutting properties and driveways on the opposite side of the street from the proposed development. Dimensions of driveway spacing as measured at the right of way from edge to edge of driveway shall be shown and shall meet or exceed the minimum driveway spacing standards.*

In site planning for the proposed Clackamette Park, Lango Hansen Landscape Architects is seeking to provide access to parking via two driveways on Main Street and one driveway on Clackamette Drive. A conceptual site plan is included in Attachment A. A detailed site plan is not currently available, the TAL may need to be supplemented in the future when a detailed site plan is available.

Main Street and Clackamette Drive are each classified as a Collector. Section 16.12.035 of the Oregon City Municipal Code requires that the minimum driveway and intersection spacing along a Collector is 100 feet. Based on the preliminary conceptual Master Plan, the following findings are offered.

- The eastern one-way ingress on Main Street and the two-way northern driveway are anticipated to satisfy minimum driveway spacing standards.
- The spacing between the one-way southern egress and the McDonald's access is anticipated to be less than 100 feet minimum spacing requirement.
 - The south access is shifted to the edge of the park property to maximize spacing from Main Street.
 - The south access is proposed as egress only, similar to the existing McDonald's access that operates as exit only today.
 - Both access are expected to satisfy sight distance requirements (as documented below in Item #5).

- The exit only accesses result in fewer potential conflict points between the two driveways as compared to full movement driveways for which the 100 feet standard is more pertinent.
- Both driveways are anticipated to be stop-controlled, meaning drivers exiting each will have time to observe a vehicle leaving the other driveway and interact appropriately.

3. *Site plan showing width of all driveways and shall meet Oregon City Driveway Approach Size Standards*

Section 12.04.025 of the Oregon City Municipal Code requires that a nonresidential driveway access be a minimum of 12 feet in width for a one-way access, 20 feet in width for two-way access, and a maximum of 40 feet in width for both one-way and two-way accesses. The eastern driveway and southern driveway are anticipated to be one-way accesses and will need to comply with the driveway approach size standards. The northern driveway is anticipated to be a two-way access and will need to comply driveway approach size standards.

4. *Site plan showing that all public roads meet Oregon City's Street Design Standards including alignment, intersection angles, cul-de-sacs, and block standards.*

The Clackamette Park Master Plan project proposes to realign Main Street and Clackamette Drive to form a 90-degree intersection with the northern park access. Section 16.12.018 of the Oregon City Municipal Code requires the centerline of streets shall be aligned with existing streets by a continuation of center lines or offset from the centerline by no more than five feet. Main Street and Clackamette Drive are anticipated to satisfy Oregon City's Street Design Standards.

5. *Documentation that all new site accesses and/or public street intersections meet AASHTO intersection sight distance guidelines.*

Kittelson & Associates, Inc. (KAI) staff visited the site in February 2023 to observe existing area conditions. For the sight distance analysis documented herein, measurements of intersection sight distance (ISD) and stopping sight distance (SSD) were obtained in the field based on guidelines provided in the most recent edition of American Association of State Highway Transportation Officials' (AASHTO) *A Policy on Geometric Design of Highways and Streets*. Consistent with AASHTO guidelines, ISD measurements were measured in the field from the approximate location of the proposed accesses from a viewpoint 15 feet behind the edge of the traveled way and from a height of 3.5 feet above the ground, looking toward an object that is 3.5 feet above the ground along the travel way. SSD measurements were obtained in the field from the approaching travel way from a viewpoint 3.5 feet above the ground looking toward an object that is 2 feet above the ground.

Based on field observations, sight distance measurements are documented at each of the three proposed site access locations in Table 2.

Table 2: Site Driveway Sight Distance Analysis Findings on Main Street and Clackamette Drive

Site Driveway	Posted Roadway Speed	AASHTO Requirements			Observed Sight Distance	Satisfies AASHTO Requirements? (ISD/SSD)
		ISD: Right Turn from Stop	ISD: Left turn from Stop	SSD		
1: North Driveway	25 MPH	240 feet	280 feet	155 feet	>280 feet (facing east) >280 feet (facing south)	Yes/Yes
2: East Driveway	25 MPH	240 feet	280 feet	155 feet	>280 feet (facing east) >280 feet (facing west)	Yes/Yes Yes/Yes
3: South Driveway	25 MPH	240 feet	280 feet	155 feet	>280 feet (facing north) >280 feet (facing south)	Yes/Yes Yes/Yes

ISD: Intersection Sight Distance
SSD: Stopping Sight Distance

As summarized in Table 2, both ISD and SSD are expected to meet AASHTO requirements at each proposed site access. Any landscaping, signage, and any above-ground utilities on-site and at the site access should be provided and maintained appropriately to provide adequate sight distance per City standards.

6. Preliminary analysis that all new streets comply with traffic sight obstructions in OCMC 10.32.

Kittelson & Associates, Inc. (KAI) staff visited the site in February to observe existing area conditions. Main Street and Clackamette Drive are posted with 25 mph speed limits. Section 10.32 of the Oregon City Municipal Code suggest 250 feet of clear vision area for 25 mph speed limit roads. Any landscaping, signage, and any above-ground utilities on-site and at the site accesses should be provided and maintained appropriately to not exceed three feet in height measured from the top of the curb within the 250 feet clear vision area per City standards.

7. Documentation that there are no inherent safety issues associated with the design and location of the site access driveways.

As documented in Items #5 and #6, clear vision area, ISD, and SSD are anticipated to be provided at each proposed site access. Additionally, In the past five years there have been no recorded crashes within the study area.

In addition to TAL requirements, City staff requested an all-way stop controlled warrant to be performed at the new intersection of Main Street and Clackamette Drive at the northern park entrance.

The all-way stop controlled warrant analysis evaluated existing, background, and total traffic volumes. For the existing conditions, the average of eight hours of weekday traffic from 11 AM to 7 PM was used. For the background conditions, the weekday PM peak hour occurring from 3:30 to 4:30 PM traffic volumes were grown by an annual growth rate of 3 percent to a horizon year of 2043.

Weekday PM peak hour trip generation for the proposed park uses were assigned based on existing travel patterns to the northern site access on Main Street and Clackamette Drive. The recreational vehicle park trips were not assigned to the northern driveway as the recreational vehicle park is proposed to be accessed through the eastern and southern site accesses. The north access assigned project trips were added to the background volumes to develop future total traffic volumes. The full traffic volume development is included as Attachment B.

Traffic volumes at the new intersection of Main Street and Clackamette Drive at the northern park entrance do not appear to satisfy all-way-stop volume based warrants. The minor approach volumes fall below the 100%, 80%,

and 70% threshold in the existing, background, and total conditions. The all-way stop warrant analysis is included as Attachment C.

8. *Documentation that the applicant has reviewed the City's TSP and that proposed streets and frontage improvements do or will comply with any applicable standards regarding the functional classification, typical sections, access management, traffic calming and other attributes as appropriate.*

A review of the Oregon City TSP indicates there is a planned shared-use path along Main Street to Abernethy Road connecting to the existing park trails in Clackamette park. Main Street and Clackamette Drive is planned to remain a collector along the site frontage. Frontage along Main Street and Clackamette Drive currently does not meet the Collector standard as outlined in Section 16.12.016 of the Oregon City Municipal Code. Section 16.12.016 of the Oregon City Municipal Code identifies a maximum of 64 feet of pavement width consisting of three 12-foot travel lanes, 8 feet of street parking on both sides, 6-foot bike lanes on both sides, and 0.5 feet of public access space on both sides.

The existing street sections of both roadways fronting the park site include 34 to 36 feet of pavement width consisting of two 12-foot travel lanes, 5-foot bike lanes on both sides and no street parking. A 12-foot left turn lane is provided eastbound on Main Street at the existing Clackamette Park access.

The development along Main Street and Clackamette Drive will provide two 12-foot travel lanes, 6-foot bike lanes on both sides, and 0.5 feet of public access space on both sides. The development is proposing no on-street parking for the site for two reasons: first, all parking is proposed to be within the site and second, to minimize off-site impacts from widening the site frontage as it transitions to existing street width to the east and south of the site. Additional parking is proposed to be provided within the Master Plan site and will consist of 90 auto parking spaces, 61 trailer parking spaces, and 18 RV spaces.

9. *When required of the development, documentation that no inherent safety issues are associated with the design and location of pedestrian, bicycle, or transit safety.*

As documented in Items #5 and #6, clear vision area, ISD, and SSD are anticipated to be met at each proposed site access. Additionally, in the past five years there have been no recorded crashes within the study area.

In addition to TAL requirements, City staff requested the letter to identify the need for any pedestrian crossings across Main Street between parking lots and park amenities.

Potential pedestrian crossings were identified based on the *Oregon Department of Transportation Traffic Manual* guidance. The traffic manual identifies potential crossing treatments based on lanes crossed, presence of a refuge island, speed, and daily traffic. Based on the Traffic Manual guidance, continental-style crosswalk markings and associated lighting and signage are recommended at the southern and eastern leg of the new intersection of Main Street and Clackamette Drive. Other additional optional treatments identified in the Traffic Manual include a raised crosswalk, in-street pedestrian crossing sign, curb extension, and a pedestrian refuge island. The northern leg crossing treatments are optional due to the anticipated low traffic demand. Pedestrian crossing worksheets are included as Attachment C.

Attachment A shows the recommended pedestrian crossing treatments for the Clackamette Park project. Continental-style crosswalk markings and associated lighting and signage are recommended at the northern and eastern approaches of the new intersection of Main Street and Clackamette Drive. Continental-style crosswalk markings, an activated flasher, and associated lighting and signage are recommended for the crosswalk on the western leg of the eastern driveway and Main Street intersection. The crosswalk flasher recommendation would fulfill the City's TSP project to install an activated flasher at the pedestrian crossing on Main Street at the park entrance. It is recommended the eastern driveway have an activated flasher due to vehicles on Main Street not being stop-controlled movements.

We trust this letter adequately addresses the requirements for a TAL. Please let us know if you have any questions.

Sincerely,
KITTELSON & ASSOCIATES, INC.



Michael Ruiz-Leon
Engineering Associate/Planner



EXPIRES: 12/31/2023



Kristine Connolly, PE
Associate Engineer

REFERENCES

1. Institute of Transportation Engineers. *Trip Generation Manual*, 11th Edition. 2021.

ATTACHMENTS

- Attachment A: Site Plan
- Attachment B: Traffic Volumes
- Attachment C: All-Way Stop Warrant
- Attachment D: Pedestrian Crossing Worksheets

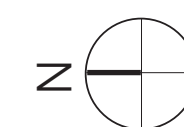
Attachment A Site Plan



CLACKAMETTE PARK MASTER PLAN

8.17.2022

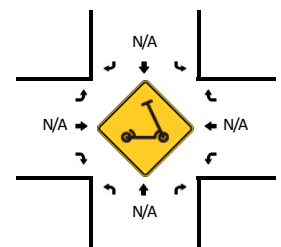
0' 80' 160'



lango.hansen LANDSCAPE ARCHITECTS P.C.

Attachment B Traffic Volumes

QC JOB #: 16019403
DATE: Tue, Jan 10 2023



5-Min Count Period Beginning At	Clackamette Park Dwy (Northbound)				Clackamette Park Dwy (Southbound)				Main St (Eastbound)				Main St (Westbound)				Total	Item #1.
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		Totals
10:15 AM	0	0	0	0	2	0	0	0	5	6	0	0	0	2	1	0	16	158
10:20 AM	0	0	0	0	0	0	1	0	5	5	0	0	0	3	3	0	17	160
10:25 AM	0	0	0	0	2	0	5	0	4	4	0	0	0	2	0	0	17	161
10:30 AM	0	0	0	0	1	0	1	0	2	2	0	0	0	3	0	0	9	159
10:35 AM	0	0	0	0	1	0	1	0	0	6	0	0	0	0	0	0	8	151
10:40 AM	0	0	0	0	2	0	3	0	0	8	0	0	0	1	1	0	15	160
10:45 AM	0	0	0	0	2	0	1	0	1	5	0	0	0	0	0	0	9	157
10:50 AM	0	0	0	0	1	0	1	0	6	4	0	0	0	2	1	0	15	161
10:55 AM	0	0	0	0	1	0	3	0	2	6	0	0	0	2	0	0	14	163
11:00 AM	0	0	0	0	0	0	3	0	2	6	0	0	0	2	2	0	15	163
11:05 AM	0	0	0	0	1	0	0	0	2	7	0	0	0	1	3	0	14	162
11:10 AM	0	0	0	0	1	0	1	0	1	6	0	0	0	1	0	0	10	159
11:15 AM	0	0	0	0	0	0	2	0	3	4	0	0	0	4	2	0	15	158
11:20 AM	0	0	0	0	3	0	1	0	2	5	0	0	0	1	1	0	13	154
11:25 AM	0	0	0	0	1	0	1	0	3	4	0	0	0	4	0	0	13	150
11:30 AM	0	0	0	0	0	0	1	0	2	5	0	0	0	1	0	0	9	150
11:35 AM	0	0	0	0	1	0	3	1	1	8	0	0	0	2	0	0	16	158
11:40 AM	0	0	0	0	2	0	3	0	4	3	0	0	0	2	1	0	15	158
11:45 AM	0	0	0	0	2	0	1	0	3	6	0	0	0	2	0	0	14	163
11:50 AM	0	0	0	0	3	0	0	0	1	10	0	0	0	3	1	0	18	166
11:55 AM	0	0	0	0	1	0	1	0	6	7	0	0	0	4	0	0	19	171
12:00 PM	0	0	0	0	2	0	1	0	5	6	0	0	0	3	1	1	19	175
12:05 PM	0	0	0	0	2	0	4	1	3	15	0	0	0	1	1	0	27	188
12:10 PM	0	0	0	0	2	0	1	0	4	6	0	0	0	1	0	0	14	192
12:15 PM	0	0	0	0	2	0	1	0	1	11	0	0	0	1	0	0	16	193
12:20 PM	0	0	0	0	0	0	0	0	3	5	0	0	0	2	3	0	13	193
12:25 PM	0	0	0	0	3	0	2	0	9	5	0	0	0	1	1	0	21	201
12:30 PM	0	0	0	0	5	0	6	0	6	4	0	0	0	4	2	0	27	219
12:35 PM	0	0	0	0	2	0	5	0	8	7	0	0	0	2	1	0	25	228
12:40 PM	0	0	0	0	5	0	2	0	6	7	0	0	0	0	0	0	20	233
12:45 PM	0	0	0	0	4	0	5	0	5	9	0	0	0	3	1	0	27	246
12:50 PM	0	0	0	0	4	0	3	0	5	5	0	0	0	2	3	0	22	250
12:55 PM	0	0	0	0	1	0	4	0	3	7	0	0	0	3	1	0	19	250
1:00 PM	0	0	0	0	1	0	6	0	4	8	0	0	0	2	0	0	21	252
1:05 PM	0	0	0	0	1	0	2	0	0	7	0	0	0	4	0	0	14	239
1:10 PM	0	0	0	0	2	0	3	0	4	7	0	0	0	0	0	0	16	241
1:15 PM	0	0	0	0	1	0	3	0	3	5	0	0	0	0	1	0	13	238
1:20 PM	0	0	0	0	0	0	2	0	2	3	0	0	0	6	2	0	15	240
1:25 PM	0	0	0	0	1	0	3	0	1	9	0	0	0	0	1	0	15	234
1:30 PM	0	0	0	0	1	0	2	0	4	9	0	0	0	2	1	0	19	226
1:35 PM	0	0	0	0	3	0	4	0	4	7	0	0	0	1	0	0	19	220
1:40 PM	0	0	0	0	5	0	1	1	7	2	0	0	0	1	0	0	17	217
1:45 PM	0	0	0	0	1	0	3	0	7	7	0	0	0	1	2	0	21	211
1:50 PM	0	0	0	0	2	0	2	0	4	8	0	0	0	1	2	0	19	208
1:55 PM	0	0	0	0	4	0	2	0	3	15	0	0	0	2	0	0	26	215
2:00 PM	0	0	0	0	4	0	2	0	0	5	0	0	0	0	1	0	12	206
2:05 PM	0	0	0	0	1	0	3	0	2	13	0	0	0	1	3	0	23	215
2:10 PM	0	0	0	0	3	0	3	0	2	5	0	0	0	3	2	0	18	217
2:15 PM	0	0	0	0	2	0	0	0	3	10	0	0	0	3	1	0	19	223
2:20 PM	0	0	0	0	1	0	0	0	3	7	0	0	0	2	1	0	14	222
2:25 PM	0	0	0	0	2	0	1	0	4	8	0	0	0	2	1	0	18	225
2:30 PM	0	0	0	0	1	0	1	0	4	7	0	0	0	2	0	0	15	221
2:35 PM	0	0	0	0	2	0	3	0	3	6	0	0	0	1	1	0	16	218
2:40 PM	0	0	0	0	0	0	3	0	3	9	0	0	0	1	1	0	17	218
2:45 PM	0	0	0	0	5	0	4	0	3	7	0	0	0	0	0	0	19	216
2:50 PM	0	0	0	0	0	0	1	0	2	10	0	0	0	1	0	0	14	211
2:55 PM	0	0	0	0	2	0	1	0	2	13	0	0	0	2	3	0	23	208
3:00 PM	0	0	0	0	3	0	2	0	1	7	0	0	0	0	1	0	14	210
3:05 PM	0	0	0	0	1	0	0	0	1	7	0	0	0	2	1	0	12	199
3:10 PM	0	0	0	0	1	0	1	0	3	6	0	0	0	2	2	0	15	196
3:15 PM	0	0	0	0	1	0	0	0	1	4	0	0	0	1	0	0	7	184
3:20 PM	0	0	0	0	4	0	0	0	5	11	0	0	0	2	2	0	24	194
3:25 PM	0	0	0	0	2	0	1	0	3	10	0	0	0	2	0	0	18	194
3:30 PM	0	0	0	0	1	0	1	0	4	18	0	0	0	3	3	0	30	209
3:35 PM	0	0	0	0	2	0	2	0	5	3	0	0	0	2	0	0	14	207
3:40 PM	0	0	0	0	5	0	3	0	1	10	0	0	0	4	0	0	23	213
3:45 PM	0	0	0	0	1	0	4	0	3	8	0	0	0	7	0	0	23	217
3:50 PM	0	0	0	0	1	0	2	0	3	11	0	0	0	1	1	0	19	222
3:55 PM	0	0	0	0	2	0	5	0	4	9	0	0	0	0	0	0	20	219
4:00 PM	0	0	0	0	1	0	0	0	8	14	0	0	0	4	1	0	28	233
4:05 PM	0	0	0	0	2	0	1	0	3	10	0	0	0	4	3	0	23	244
4:10 PM	0	0	0	0	2	0	1	0	3	12	0	0	0	4	1	0	23	252
4:15 PM	0	0	0	0	1	0	2	0	4	11	0	0	0	4	0	0	22	267
4:20 PM	0	0	0	0	1	0	2	0	2	15	0	0	0	2	1	0	23	266
4:25 PM	0	0	0	0	4	0	1	0	2	15	0	0	0	5	0	0	27	275
4:30 PM	0	0	0	0	1	0	5	0	1	12	0	0	0	4	0	0	23	268
4:35 PM	0	0	0	0	1	0	3	0	0	9	0	0	0	2	2	0	17	271
4:40 PM	0	0	0	0	0	0	1	0	2	13	0	0	0	3	0	0	19	267
4:45 PM	0	0	0	0	0	0	1	0	1	9	0	0	0	4	1	0	16	260
4:50 PM	0	0	0	0	3	0	4	0	7	5	0	0	0	3	1	0	23	264
4:55 PM	0	0	0	0	2	0	2	0	3	6	0	0	0	3	0	0	16	260
5:00 PM	0	0	0	0	1	0	4	0	3	9	0	0	0	1	0	0	18	250
5:05 PM	0	0	0	0	0	0	4	0	0	18	0	0	0	1	0	0	23	250
5:10 PM	0	0	0	0	0	0	4	0	1	5	0	0	0	1	0	0	11	238
5:15 PM	0	0	0	0	1	0	1	0	1	8	0	0	0	1	0	0	12	228
5:20 PM	0	0	0	0	0	0	0	0	1	10	0	0	0	1	0	0	12	217
5:25 PM	0	0	0	0	4	0	4	0	1	8	0	0	0	1	0	0	18	

5-Min Count Period Beginning At	Clackamette Park Dwy (Northbound)				Clackamette Park Dwy (Southbound)				Main St (Eastbound)				Main St (Westbound)				Total	Item #1. Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
5:30 PM	0	0	0	0	2	0	3	0	0	11	0	0	0	2	1	0	19	204
5:35 PM	0	0	0	0	0	0	2	0	0	9	0	0	0	1	0	0	12	199
5:40 PM	0	0	0	0	0	0	2	0	1	6	0	0	0	0	0	0	9	189
5:45 PM	0	0	0	0	0	0	0	0	0	11	0	0	0	3	0	0	14	187
5:50 PM	0	0	0	0	0	0	2	0	1	4	0	0	0	1	1	0	9	173
5:55 PM	0	0	0	0	0	0	0	0	1	5	0	0	0	1	0	0	7	164
6:00 PM	0	0	0	0	0	0	1	0	1	7	0	0	0	2	0	0	11	157
6:05 PM	0	0	0	0	0	0	1	0	1	2	0	0	0	2	1	0	7	141
6:10 PM	0	0	0	0	1	0	3	0	1	7	0	0	0	1	0	0	13	143
6:15 PM	0	0	0	0	0	0	2	0	0	5	0	0	0	0	1	0	8	139
6:20 PM	0	0	0	0	0	0	0	0	0	3	0	0	0	1	0	0	4	131
6:25 PM	0	0	0	0	0	0	0	0	0	4	0	0	0	2	0	0	6	119
6:30 PM	0	0	0	0	0	0	0	0	0	7	0	0	0	3	0	0	10	110
6:35 PM	0	0	0	0	0	0	1	0	2	6	0	0	0	3	0	0	12	110
6:40 PM	0	0	0	0	0	0	0	0	0	2	0	0	0	1	0	0	3	104
6:45 PM	0	0	0	0	0	0	0	0	1	3	0	0	0	0	0	0	4	94
6:50 PM	0	0	0	0	2	0	1	0	1	4	0	0	0	1	1	0	10	95
6:55 PM	0	0	0	0	0	0	0	0	1	6	0	0	0	2	0	0	9	97
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	0	0	0	20	0	8	0	56	144	0	0	0	48	20	0	296	
Heavy Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	4	
Buses																		
Pedestrians		0				0				0				0			0	
Bicycles	0	0	0		4	0	0		8	0	0		0	0	4		16	
Scooters																		
Comments:																		

Report generated on 1/18/2023 2:02 PM

SOURCE: Quality Counts, LLC (<http://www.qualitycounts.net>) 1-877-580-2212

Attachment C Capacity Analysis

Minimum Volume Criteria

Average per hour of any 8 hours of an average day

	Major (total of both approaches)	Minor (total of both approaches)
100%	300	200
80%	240	160
70%	210	140

Main St/Clackamette Drive

Average of 8 hours - based on urban traffic profile

	Clackamette Drive/Western Driveway Major (total of both approaches)	Main St Minor (total of both approaches)
PM		
Existing	165	27
Background	360	80
Total	373	82

100% volumes met

	Major	Minor
Existing	No	No
Background	Yes	No
Total	Yes	No

80% volumes met

	Major	Minor
Existing	No	No
Background	Yes	No
Total	Yes	No

70% volumes met

	Major	Minor
Existing	No	No
Background	Yes	No
Total	Yes	No

Minimum Volume Criteria

Average per hour of any 8 hours of an average day

	Major (total of both approaches)	Minor (total of both approaches)
100%	300	200
80%	240	160
70%	210	140

Main St/Clackamette Drive

Average of 8 hours - based on urban traffic profile

	Clackamette Drive/Main St Major (total of both approaches)	Western Driveway Minor (total of both approaches)
PM		
Existing	156	42
Background	365	75
Total	375	80

100% volumes met

	Major	Minor
Existing	No	No
Background	Yes	No
Total	Yes	No

80% volumes met

	Major	Minor
Existing	No	No
Background	Yes	No
Total	Yes	No

70% volumes met

	Major	Minor
Existing	No	No
Background	Yes	No
Total	Yes	No

Attachment D Pedestrian Crossing Worksheets

Worksheet for Uncontrolled Crosswalk Treatments (Traffic Manual, Table 310.3-A)

Date	February 21, 2023	Date the investigator last modified this worksheet.
Investigator	Michael Ruiz-Leon	First and last name of the person filling out this worksheet.
Agency/Company	Kittelson & Associates, Inc.	The agency or company the investigator works for.
Project (if applicable)	Clackamette Park	Name of the project and key number (if applicable).

Location

LRM, Highway Name		TransGIS (Roadside>ADA corner/ramp layer)
Milepoint		TransGIS (Roadside>ADA corner/ramp layer)
Intersecting Road Name	Clackamette/Main Street (Southern Leg)	If midblock, enter "Midblock between X Street and Y Avenue"
City or County	Oregon City	TransGIS (Boundaries>City Limits layer)

Crossing Conditions

AADT (vehicles/day)	3980 veh/day	TransGIS (Traffic Data>Traffic Flow (AADT))
Posted or 85th %ile Speed (mph)	25 mph	TransGIS (Traffic Data>Posted Speed)
# Motor Vehicle Lanes Crossed	2 lane(s)	Total motor vehicle lanes crossed to complete the crossing, including TWLTL and left/right turn lanes. Bicycle lanes and refuge islands at least 6 feet wide are not lanes crossed. STRE approval required for uncontrolled marked crosswalks across 5+ lanes.
Refuge island present?	No	A refuge island is a raised area, typically in the median, at least 6 feet wide.

Table 310.3-A Treatments

Refuge Island	Table Results
No	A B C D E F

- X = Treatment optional
 ⊗ = Treatment recommended
 ⊗ = Treatment recommended and should be installed with other identified treatments to reduce pedestrian-involved crash potential.

 Blue = All treatments shown in category optional. Treatment "A" recommended for school and midblock crossings.

 Green = Visibility enhancements recommended

 Yellow = RRFB treatment recommended

 Red = Traffic signal or PHB recommended

The absence of a letter means the treatment is generally not appropriate, but exceptions may be considered through the engineering study and STRE approval process.

- A = Continental-style crosswalk markings, parking restrictions on crosswalk approach (see Table 310.3-B), lighting according to ODOT Traffic Lighting Design Manual. Crossing warning sign(s) for school crosswalks, midblock crosswalks, or speed ≥30 mph.
- B = Raised crosswalk, except on freight routes, emergency response routes, arterial roadways, and snowplow routes.
- C = If 2+ lanes in one direction, wide advance stop bar and STOP HERE FOR Pedestrians sign.
- D = In-Street Pedestrian Crossing sign. If refuge island present, install on the refuge island.
- E = Curb extension
- F = Pedestrian refuge island (at least 6 feet wide)
- G = Rectangular rapid flashing beacon (RRFB)
- H = Reduce number of motor vehicle lanes
- I = Traffic signal or PHB

Notes

- 1) Installation of a treatment(s) at any location is subject to an engineering study that accounts for factors such as sight distance, safety, operations, other field conditions, and local land use. See Section 310.3 in the ODOT Traffic Manual for process, required approvals, and deliverables related to these engineering studies.
- 2) This worksheet is based on Table 310.3-A in the ODOT Traffic Manual. Engineering studies that consider treatments at new or existing uncontrolled marked crosswalks should use this table as an initial reference for recommended and optional treatments. Each cell in the table contains treatments that can be appropriate for an uncontrolled marked crosswalk. All treatments listed in a cell should not necessarily be installed at a crossing.
- 3) This table does not apply to temporary marked crosswalks. See the ODOT TCP Manual for temporary uncontrolled marked crosswalks.

Table 310.3-A version: ODOT Traffic Manual, January 2022 update

734-5351 (11/2021)

Worksheet for Uncontrolled Crosswalk Treatments (Traffic Manual, Table 310.3-A)

Date	February 21, 2023	Date the investigator last modified this worksheet.
Investigator	Michael Ruiz-Leon	First and last name of the person filling out this worksheet.
Agency/Company	Kittelson & Associates, Inc.	The agency or company the investigator works for.
Project (if applicable)	Clackamette Park	Name of the project and key number (if applicable).

Location

LRM, Highway Name		TransGIS (Roadside>ADA corner/ramp layer)
Milepoint		TransGIS (Roadside>ADA corner/ramp layer)
Intersecting Road Name	Clackamette/Main Street (Eastern Leg)	If midblock, enter "Midblock between X Street and Y Avenue"
City or County	Oregon City	TransGIS (Boundaries>City Limits layer)

Crossing Conditions

AADT (vehicles/day)	3380 veh/day	TransGIS (Traffic Data>Traffic Flow (AADT))
Posted or 85th %ile Speed (mph)	25 mph	TransGIS (Traffic Data>Posted Speed)
# Motor Vehicle Lanes Crossed	2 lane(s)	Total motor vehicle lanes crossed to complete the crossing, including TWLTL and left/right turn lanes. Bicycle lanes and refuge islands at least 6 feet wide are not lanes crossed. STRE approval required for uncontrolled marked crosswalks across 5+ lanes.
Refuge island present?	No	A refuge island is a raised area, typically in the median, at least 6 feet wide.

Table 310.3-A Treatments

Refuge Island	Table Results
No	A B C D E F

- X = Treatment optional
 ⊗ = Treatment recommended
 ⊗ = Treatment recommended and should be installed with other identified treatments to reduce pedestrian-involved crash potential.

 Blue = All treatments shown in category optional. Treatment "A" recommended for school and midblock crossings.

 Green = Visibility enhancements recommended

 Yellow = RRFB treatment recommended

 Red = Traffic signal or PHB recommended

The absence of a letter means the treatment is generally not appropriate, but exceptions may be considered through the engineering study and STRE approval process.

- A = Continental-style crosswalk markings, parking restrictions on crosswalk approach (see Table 310.3-B), lighting according to ODOT Traffic Lighting Design Manual. Crossing warning sign(s) for school crosswalks, midblock crosswalks, or speed ≥30 mph.
- B = Raised crosswalk, except on freight routes, emergency response routes, arterial roadways, and snowplow routes.
- C = If 2+ lanes in one direction, wide advance stop bar and STOP HERE FOR Pedestrians sign.
- D = In-Street Pedestrian Crossing sign. If refuge island present, install on the refuge island.
- E = Curb extension
- F = Pedestrian refuge island (at least 6 feet wide)
- G = Rectangular rapid flashing beacon (RRFB)
- H = Reduce number of motor vehicle lanes
- I = Traffic signal or PHB

Notes

- 1) Installation of a treatment(s) at any location is subject to an engineering study that accounts for factors such as sight distance, safety, operations, other field conditions, and local land use. See Section 310.3 in the ODOT Traffic Manual for process, required approvals, and deliverables related to these engineering studies.
- 2) This worksheet is based on Table 310.3-A in the ODOT Traffic Manual. Engineering studies that consider treatments at new or existing uncontrolled marked crosswalks should use this table as an initial reference for recommended and optional treatments. Each cell in the table contains treatments that can be appropriate for an uncontrolled marked crosswalk. All treatments listed in a cell should not necessarily be installed at a crossing.
- 3) This table does not apply to temporary marked crosswalks. See the ODOT TCP Manual for temporary uncontrolled marked crosswalks.

Table 310.3-A version: ODOT Traffic Manual, January 2022 update

734-5351 (11/2021)

Worksheet for Uncontrolled Crosswalk Treatments (Traffic Manual, Table 310.3-A)

Date	February 21, 2023	Date the investigator last modified this worksheet.
Investigator	Michael Ruiz-Leon	First and last name of the person filling out this worksheet.
Agency/Company	Kittelson & Associates, Inc.	The agency or company the investigator works for.
Project (if applicable)	Clackamette Park	Name of the project and key number (if applicable).

Location

LRM, Highway Name		TransGIS (Roadside>ADA corner/ramp layer)
Milepoint		TransGIS (Roadside>ADA corner/ramp layer)
Intersecting Road Name	Clackamette/Main Street (Northern Leg)	If midblock, enter "Midblock between X Street and Y Avenue"
City or County	Oregon City	TransGIS (Boundaries>City Limits layer)

Crossing Conditions

AADT (vehicles/day)	1720 veh/day	TransGIS (Traffic Data>Traffic Flow (AADT))
Posted or 85th %ile Speed (mph)	25 mph	TransGIS (Traffic Data>Posted Speed)
# Motor Vehicle Lanes Crossed	2 lane(s)	Total motor vehicle lanes crossed to complete the crossing, including TWLTL and left/right turn lanes. Bicycle lanes and refuge islands at least 6 feet wide are not lanes crossed. STRE approval required for uncontrolled marked crosswalks across 5+ lanes.
Refuge island present?	No	A refuge island is a raised area, typically in the median, at least 6 feet wide.

Table 310.3-A Treatments

Refuge Island	Table Results
No	A B C D E F

- X = Treatment optional
 ⊗ = Treatment recommended
 ⊗ = Treatment recommended and should be installed with other identified treatments to reduce pedestrian-involved crash potential.

 Blue = All treatments shown in category optional. Treatment "A" recommended for school and midblock crossings.

 Green = Visibility enhancements recommended

 Yellow = RRFB treatment recommended

 Red = Traffic signal or PHB recommended

The absence of a letter means the treatment is generally not appropriate, but exceptions may be considered through the engineering study and STRE approval process.

- A = Continental-style crosswalk markings, parking restrictions on crosswalk approach (see Table 310.3-B), lighting according to ODOT Traffic Lighting Design Manual. Crossing warning sign(s) for school crosswalks, midblock crosswalks, or speed ≥30 mph.
- B = Raised crosswalk, except on freight routes, emergency response routes, arterial roadways, and snowplow routes.
- C = If 2+ lanes in one direction, wide advance stop bar and STOP HERE FOR Pedestrians sign.
- D = In-Street Pedestrian Crossing sign. If refuge island present, install on the refuge island.
- E = Curb extension
- F = Pedestrian refuge island (at least 6 feet wide)
- G = Rectangular rapid flashing beacon (RRFB)
- H = Reduce number of motor vehicle lanes
- I = Traffic signal or PHB

Notes

- 1) Installation of a treatment(s) at any location is subject to an engineering study that accounts for factors such as sight distance, safety, operations, other field conditions, and local land use. See Section 310.3 in the ODOT Traffic Manual for process, required approvals, and deliverables related to these engineering studies.
- 2) This worksheet is based on Table 310.3-A in the ODOT Traffic Manual. Engineering studies that consider treatments at new or existing uncontrolled marked crosswalks should use this table as an initial reference for recommended and optional treatments. Each cell in the table contains treatments that can be appropriate for an uncontrolled marked crosswalk. All treatments listed in a cell should not necessarily be installed at a crossing.
- 3) This table does not apply to temporary marked crosswalks. See the ODOT TCP Manual for temporary uncontrolled marked crosswalks.

Table 310.3-A version: ODOT Traffic Manual, January 2022 update

734-5351 (11/2021)



Pali Consulting

September 27, 2022

Re: Tax Lot 2-2E-30-00600, Oregon City

PA-22-00046

The following provides our preliminary notes for the PA 22-00046, Tax Lot 2-2E-30-00600, located at 1955 Clackamette Drive (Clackamette Park).

The proposed development is located within a geologic hazard overlay district based on steep slopes and their buffer zones. Mapping indicates that the site contains slopes steeper than 25%, which appear to be associated with the riverbank and various road embankments within and adjacent the property boundaries. About 15% of the site is within this area of steep slopes or its buffer zone.

The provisions for Chapter 17.44 - Geologic Hazards apply where development will occur within or may affect areas within the geologic hazard overlay and a Geological Assessment and Geotechnical Report is required. Based on the submitted documents, it appears that locations 4, 10 and 12 may meet these conditions. The Geological Assessment and Geotechnical Report must cover the applicable provisions outlined in Chapter 17.44.50. The report must address the steep slopes and provide evidence that the site is suitable for the proposed development, and that the proposed development will not adversely affect on-site and adjacent slopes, and vice versa. Grading and disposition of stormwater, both surface water and groundwater infiltration are known to affect the stability of slopes. These factors should be addressed and with supporting data and analyses using standard methods employed by geotechnical engineers and engineering geologists practicing in the region. An Engineering Geotechnical Checklist is available from the City.

The site is greater than one acre; therefore, a preliminary hydrology report per Chapter 17.44.50 (11) will be required.

The development standards for sites within a geologic hazard area are outlined in Chapter 17.44.60 and include limitations on disturbance of existing conditions, retaining walls and provisions requiring the design to minimize the volume of cuts and fills.

Excavation and embankments over 2 feet within the geologic hazard overlay and buffer zone will require engineering analysis and evaluation of the impact of the excavation or fill on the slope stability. No cuts or retaining walls higher greater than 15 feet are permitted and walls greater than 7 feet require terracing. Cuts in the toe of any slope greater than 25% will require geotechnical evaluation and a remediation plan, as warranted. Retaining walls and rockery walls over 4 feet high, walls on slopes, and terraced walls will



require engineered designs that evaluate sliding, overturning, bearing capacity, internal stability, and global stability calculations.

These requirements are based on the information the applicant submitted. If the scope of activities materially changes from what is outlined in site plans from Lango Hansen Landscape Architects, dated July 12th, 2022, requirements may change from those stated.

PALI CONSULTING, INC.

TIMOTHY W. BLACKWOOD, PE

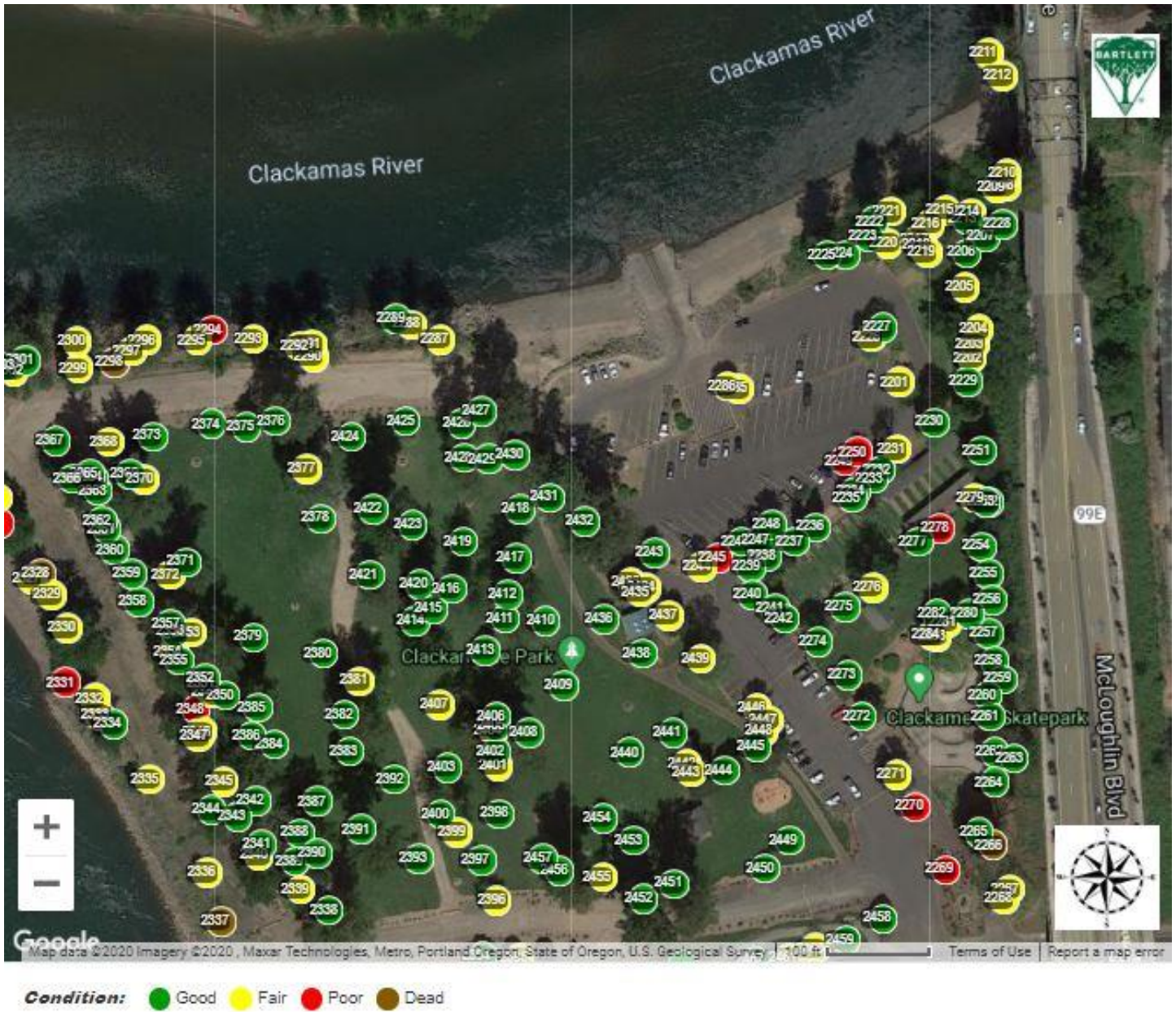
President/Principal Geotechnical Engineer

Doc ID: PA 22-00046 Pre-App Letter

September 27, 2022

Page 2

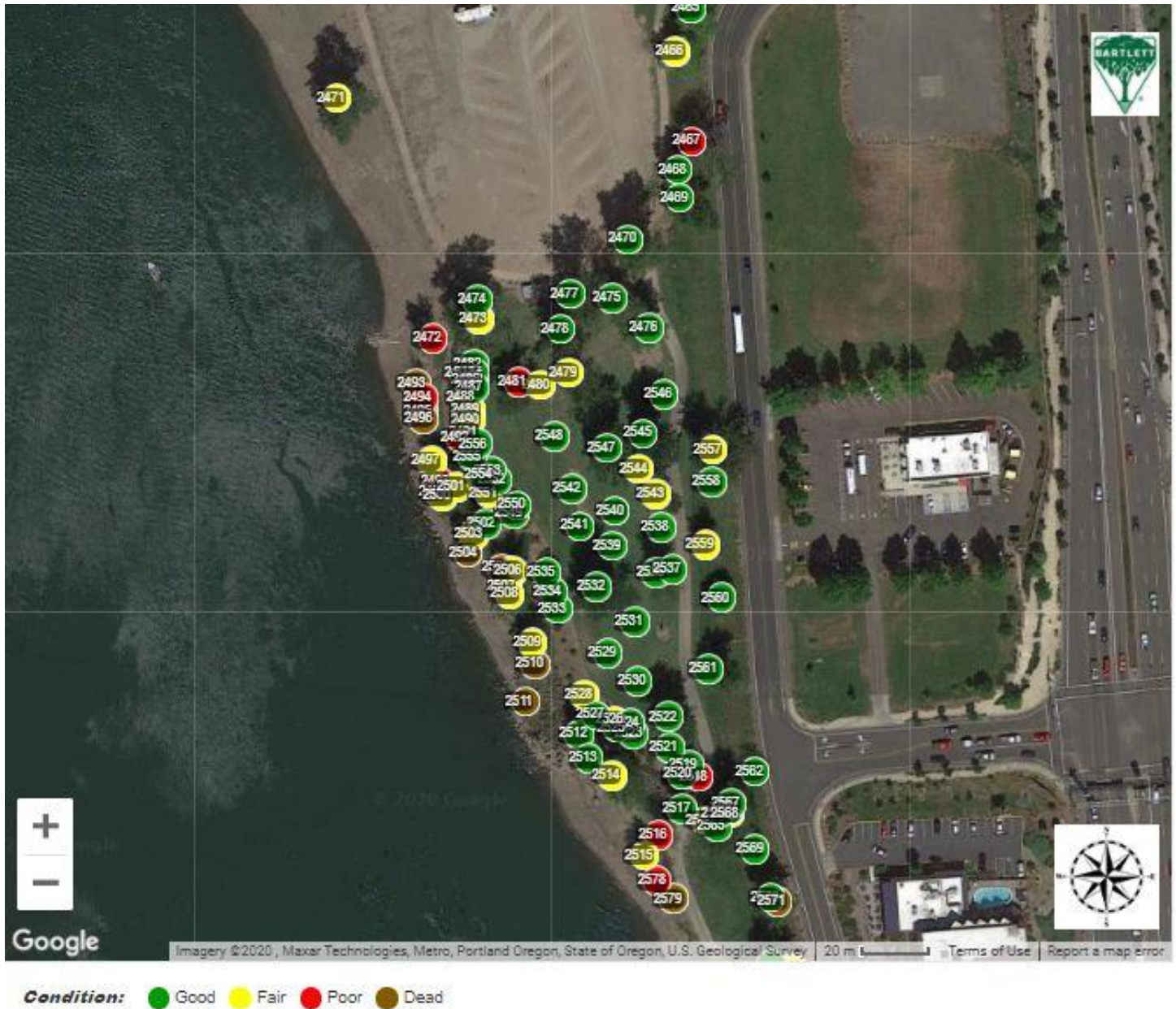
INVENTORIED TREES BY CONDITION CLASS, NORTHEAST



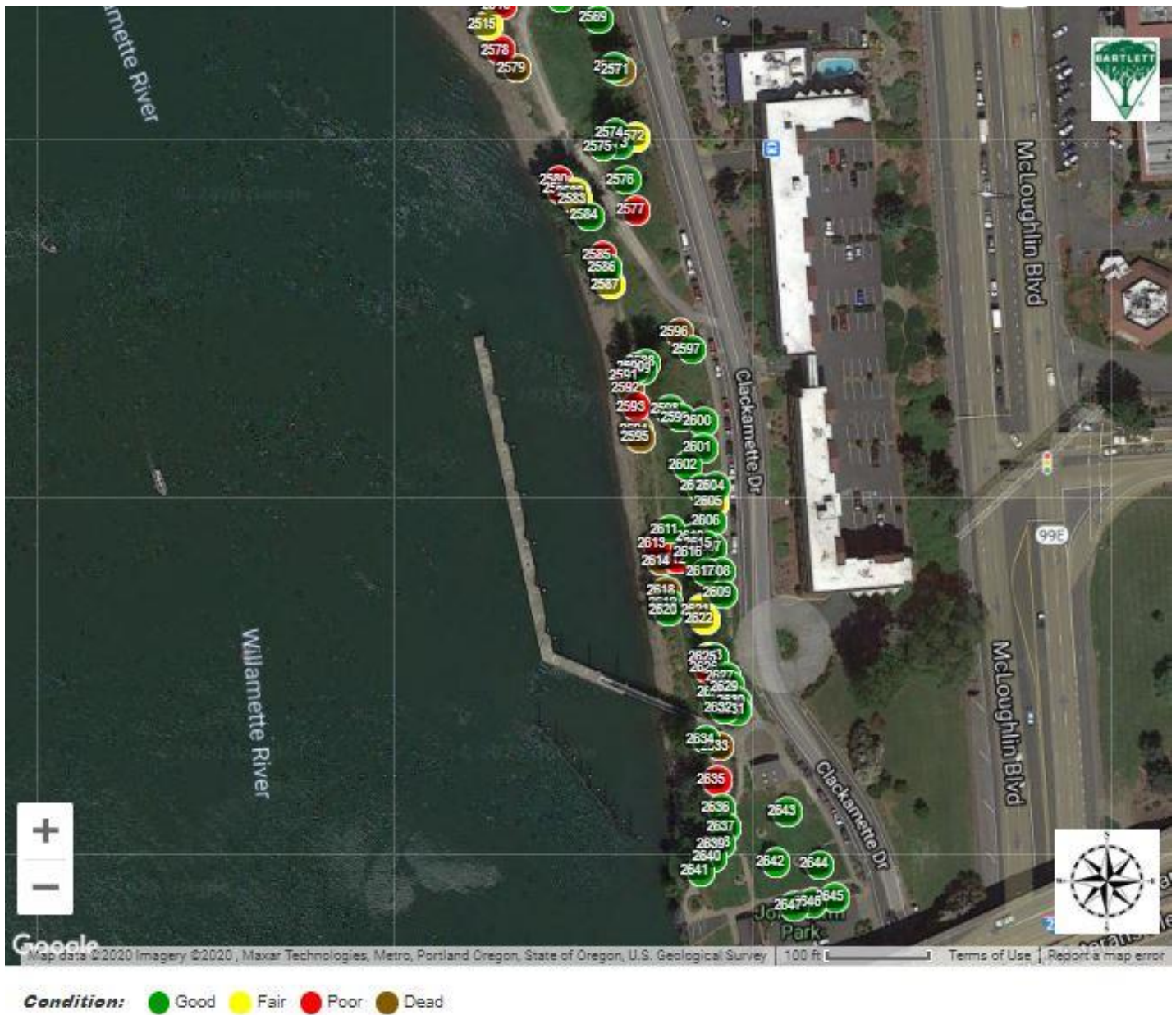
INVENTORIED TREES BY CONDITION CLASS, NORTHWEST



INVENTORIED TREES BY CONDITION CLASS, CENTRAL



INVENTORIED TREES BY CONDITION CLASS, SOUTH



ENTIRE INVENTORY (447 Trees)

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2201	Tree of Heaven	<i>Ailanthus</i>	<i>altissima</i>	16	Medium	Semi-mature	1	Fair	2	\$833.98
2202	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	43,38,27,21	Large	Mature	4	Fair	1	\$66,182.19
2203	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	4	Small	Young	1	Fair	...	\$182.43
2204	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	39,37,27,19	Large	Mature	5	Fair	1	\$60,604.40
2205	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	40,37,25	Large	Mature	3	Fair	1	\$54,052.67
2206	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	16	Large	Semi-mature	1	Good	2	\$5,721.13
2207	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	14	Large	Semi-mature	1	Good	...	\$4,380.24
2208	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	12	Medium	Semi-mature	1	Fair	...	\$2,298.67
2209	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	42,38,28	Large	Mature	1	Fair	...	\$59,190.30
2210	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	10	Medium	Semi-mature	1	Fair	...	\$1,596.30
2211	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	25	Large	Mature	1	Fair	...	\$9,976.86
2212	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	27,24	Large	Mature	1	Fair	...	\$20,831.68
2213	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	7	Medium	Semi-mature	1	Good	...	\$1,095.06
2214	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	12,10	Large	Semi-mature	1	Fair	...	\$3,894.97
2215	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	9	Medium	Semi-mature	1	Fair	...	\$1,293.00
2216	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	48	Large	Mature	1	Fair	...	\$29,842.83
2217	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	22	Large	Mature	1	Fair	...	\$7,726.08
2218	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	9	Large	Semi-mature	1	Fair	...	\$1,293.00
2219	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	14	Large	Semi-mature	1	Fair	1	\$3,128.74
2220	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	14	Large	Semi-mature	1	Fair	...	\$3,128.74
2221	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	8	Medium	Semi-mature	1	Fair	...	\$1,021.63
2222	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	29,27	Large	Mature	2	Good	...	\$35,086.62
2223	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	10	Medium	Semi-mature	1	Good	...	\$2,234.82
2224	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	7	Medium	Semi-mature	1	Good	...	\$1,095.06
2225	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	34,16,10,7	Large	Mature	4	Good	...	\$34,158.96
2226	Alder-Red	<i>Alnus</i>	<i>rubra</i>	16	Medium	Semi-mature	1	Fair	1	\$2,627.05
2227	Alder-Red	<i>Alnus</i>	<i>rubra</i>	12,11	Medium	Semi-mature	1	Good	2	\$3,807.17
2228	Locust-Black	<i>Robinia</i>	<i>pseudoacacia</i>	12,10,10,9	Medium	Semi-mature	5	Good	2	\$6,784.26

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2229	Falsecypress-Lawson	<i>Chamaecyparis</i>	<i>lawsoniana</i>	24	Large	Mature	1	Good	3	\$10,114.14
2230	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	24,22	Large	Mature	1	Good	1	\$20,304.90
2231	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	25	Large	Mature	1	Fair	ASAP	\$8,551.59
2232	Falsecypress-Lawson	<i>Chamaecyparis</i>	<i>lawsoniana</i>	13	Medium	Semi-mature	1	Good	...	\$2,967.52
2233	Falsecypress-Lawson	<i>Chamaecyparis</i>	<i>lawsoniana</i>	12	Medium	Semi-mature	1	Good	...	\$2,528.54
2234	Redcedar-Western	<i>Thuja</i>	<i>plicata</i>	25	Large	Mature	1	Good	2	\$17,958.35
2235	Redcedar-Western	<i>Thuja</i>	<i>plicata</i>	29,29	Large	Mature	1	Good	...	\$48,329.50
2236	Falsecypress-Lawson	<i>Chamaecyparis</i>	<i>lawsoniana</i>	25	Large	Mature	1	Good	...	\$10,974.54
2237	Falsecypress-Lawson	<i>Chamaecyparis</i>	<i>lawsoniana</i>	20	Large	Mature	1	Good	...	\$7,023.71
2238	Redcedar-Western	<i>Thuja</i>	<i>plicata</i>	29	Large	Mature	1	Good	...	\$24,164.75
2239	Redcedar-Western	<i>Thuja</i>	<i>plicata</i>	36	Large	Mature	1	Good	3	\$35,638.14
2240	Redcedar-Western	<i>Thuja</i>	<i>plicata</i>	25	Large	Mature	1	Good	...	\$17,958.35
2241	Falsecypress-Lawson	<i>Chamaecyparis</i>	<i>lawsoniana</i>	23	Large	Mature	1	Good	3	\$9,288.86
2242	Redcedar-Western	<i>Thuja</i>	<i>plicata</i>	18	Large	Mature	1	Good	...	\$9,309.61
2243	Alder-Red	<i>Alnus</i>	<i>rubra</i>	13	Medium	Semi-mature	1	Good	2	\$2,427.97
2244	Alder-Red	<i>Alnus</i>	<i>rubra</i>	12	Medium	Semi-mature	1	Fair	2	\$1,477.72
2245	Alder-Red	<i>Alnus</i>	<i>rubra</i>	7	Small	Semi-mature	1	Poor	1	\$301.70
2246	Cascara	<i>Rhamnus</i>	<i>purshiana</i>	11	Medium	Semi-mature	1	Good	3	\$3,283.58
2247	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	10	Medium	Semi-mature	1	Good	2	\$1,915.56
2248	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	14	Large	Semi-mature	1	Good	2	\$2,681.78
2249	Cherry-Flowering	<i>Prunus</i>	<i>serrulata</i>	7	Small	Semi-mature	1	Poor	1	\$311.28
2250	Cherry-Flowering	<i>Prunus</i>	<i>serrulata</i>	10	Medium	Semi-mature	1	Poor	1	\$381.16
2251	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	32	Large	Mature	1	Good	2	\$24,022.55
2252	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	27	Large	Mature	1	Good	1	\$17,455.51

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2253	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	27	Large	Mature	1	Good	1	\$17,455.51
2254	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	30	Large	Mature	1	Good	1	\$21,550.02
2255	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	26	Large	Mature	1	Good	1	\$16,186.46
2256	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	26	Large	Mature	1	Good	1	\$16,186.46
2257	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	30	Large	Mature	1	Good	1	\$21,550.02
2258	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	26	Large	Mature	1	Good	1	\$16,186.46
2259	Hawthorn-Singleseed	<i>Crataegus</i>	<i>monogyna</i>	9,5	Medium	Semi-mature	1	Good	...	\$1,522.87
2260	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	24	Large	Mature	1	Good	1	\$13,792.01
2261	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	27	Large	Mature	1	Good	1	\$17,455.51
2262	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	28	Large	Mature	1	Good	1	\$18,772.46
2263	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	13	Medium	Semi-mature	1	Good	2	\$3,237.29
2264	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	24	Large	Mature	1	Good	1	\$13,792.01
2265	Redwood-Coast	<i>Sequoia</i>	<i>sempervirens</i>	46	Large	Mature	1	Good	2	\$42,457.65
2266	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	63	Large	Over-mature	1	Dead	ASAP	...
2267	Willow-Babylon Weeping	<i>Salix</i>	<i>babylonica</i>	16	Medium	Semi-mature	1	Fair	2	\$1,667.97
2268	Willow-Babylon Weeping	<i>Salix</i>	<i>babylonica</i>	13	Medium	Semi-mature	1	Fair	1	\$1,101.12
2269	Mountain Ash-American	<i>Sorbus</i>	<i>americana</i>	8	Small	Semi-mature	1	Poor	1	\$437.84
2270	Dogwood-Flowering	<i>Cornus</i>	<i>florida</i>	5	Small	Young	1	Poor	1	\$222.34
2271	Pear-Callery	<i>Pyrus</i>	<i>calleryana</i>	20	Large	Mature	1	Fair	1	\$4,560.85
2272	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	22	Medium	Mature	1	Good	2	\$11,589.12
2273	Maple-Norway	<i>Acer</i>	<i>platanoides</i>	6	Small	Semi-mature	1	Good	3	\$862.00
2274	Mountain Ash-American	<i>Sorbus</i>	<i>americana</i>	19	Medium	Mature	1	Good	1	\$5,762.63
2275	Mountain Ash-American	<i>Sorbus</i>	<i>americana</i>	7	Small	Semi-mature	1	Good	2	\$782.19

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2276	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	24,24	Large	Mature	1	Fair	1	\$15,762.30
2277	Mountain Ash-American	<i>Sorbus</i>	<i>americana</i>	19	Medium	Mature	1	Good	2	\$5,762.63
2278	Mountain Ash-American	<i>Sorbus</i>	<i>americana</i>	17	Medium	Mature	1	Poor	1	\$1,977.13
2279	Mountain Ash-American	<i>Sorbus</i>	<i>americana</i>	11	Medium	Semi-mature	1	Fair	2	\$1,379.66
2280	Spruce-Colorado Blue	<i>Picea</i>	<i>pungens</i>	3	Small	Young	1	Good	3	\$158.03
2281	Spruce-White	<i>Picea</i>	<i>glauca</i>	3	Small	Young	1	Fair	3	\$143.67
2282	Cherry	<i>Prunus</i>	sp.	6,4,3	Medium	Semi-mature	1	Good	3	\$1,363.24
2283	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	22	Large	Mature	1	Fair	1	\$6,622.35
2284	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	31	Large	Mature	1	Fair	1	\$12,887.13
2285	Crabapple	<i>Malus</i>	sp.	7	Medium	Semi-mature	1	Fair	1	\$558.70
2286	Crabapple	<i>Malus</i>	sp.	9	Medium	Semi-mature	1	Fair	1	\$923.57
2287	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	14,11	Large	Semi-mature	1	Fair	...	\$5,060.26
2288	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	25,15,8	Large	Mature	1	Fair	2	\$14,590.16
2289	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	20	Large	Mature	1	Good	...	\$8,939.27
2290	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	19	Large	Mature	1	Fair	...	\$5,762.63
2291	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	18	Large	Mature	1	Fair	1	\$5,172.00
2292	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	20,9	Large	Mature	1	Fair	...	\$7,678.19
2293	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15,9,6	Large	Mature	1	Fair	...	\$5,459.34
2294	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	10	Medium	Semi-mature	1	Poor	2	\$957.78
2295	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	22,19,18	Large	Mature	1	Fair	1	\$18,660.72
2296	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	27,29	Large	Mature	1	Fair	1	\$25,061.87
2297	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	24	Large	Mature	1	Fair	...	\$9,194.67
2298	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	16,10	Large	Mature	1	Dead	ASAP	...
2299	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	25	Large	Mature	1	Fair	...	\$9,976.86
2300	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	26,15,14	Large	Mature	1	Fair	...	\$17,511.38
2301	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	13,10,9,7	Large	Semi-mature	4	Good	...	\$8,916.92

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2302	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15,14,13,7	Large	Semi-mature	4	Fair	...	\$10,200.34
2303	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	25,21,12,11	Large	Mature	4	Good	...	\$29,745.41
2304	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	9,7	Medium	Semi-mature	2	Good	...	\$2,905.26
2305	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	6	Medium	Semi-mature	1	Fair	...	\$492.57
2306	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	28,22,14,9	Large	Mature	4	Good	...	\$34,527.91
2307	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	22,18,10,9	Large	Mature	4	Fair	...	\$15,787.38
2308	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	13	Large	Semi-mature	1	Good	...	\$3,776.84
2309	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	9	Large	Semi-mature	1	Fair	...	\$1,293.00
2310	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	20	Large	Mature	1	Dead	ASAP	...
2311	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	13,10,9	Large	Semi-mature	3	Fair	2	\$5,587.04
2312	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	12	Large	Semi-mature	1	Fair	...	\$2,298.67
2313	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	17,15	Large	Semi-mature	1	Good	...	\$11,486.96
2314	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	36	Large	Over-mature	1	Poor	...	\$11,879.38
2315	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	4,3	Small	Young	1	Good	...	\$558.70
2316	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	3,3,3,2	Small	Young	1	Good	...	\$593.82
2317	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	6	Medium	Semi-mature	1	Good	...	\$804.53
2318	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	8	Medium	Semi-mature	1	Good	...	\$1,225.96
2319	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	10	Medium	Semi-mature	1	Good	...	\$1,915.56
2320	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	12	Medium	Semi-mature	1	Good	...	\$2,758.40
2321	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Medium	Semi-mature	1	Good	...	\$2,704.13
2322	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Medium	Semi-mature	1	Poor	...	\$1,158.91
2323	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Medium	Semi-mature	1	Good	...	\$2,704.13
2324	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	18,18	Large	Mature	1	Good	...	\$14,481.61
2325	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	10	Large	Semi-mature	1	Fair	...	\$1,596.30
2326	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	22,17,15,11	Large	Over-mature	1	Poor	ASAP	\$10,717.54
2327	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	23	Large	Mature	1	Fair	2	\$8,444.41
2328	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	13	Large	Semi-mature	1	Dead	ASAP	...
2329	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	16	Large	Semi-mature	1	Fair	...	\$4,086.52
2330	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	48,35,21	Large	Over-mature	1	Fair	1	\$55,755.93
2331	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	10	Medium	Semi-mature	1	Poor	1	\$957.78

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2332	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	22	Large	Mature	1	Fair	...	\$7,726.08
2333	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	12	Large	Semi-mature	1	Dead	1	...
2334	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	19	Large	Mature	1	Good	...	\$8,067.69
2335	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	12	Medium	Semi-mature	1	Fair	...	\$2,298.67
2336	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Medium	Semi-mature	1	Fair	...	\$1,931.52
2337	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Medium	Semi-mature	1	Dead	1	...
2338	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	55,52,37	Large	Mature	1	Good	...	\$123,565.99
2339	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	11,9,8	Medium	Semi-mature	1	Fair	2	\$3,639.56
2340	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	36	Large	Mature	1	Fair	1	\$19,798.97
2341	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	20	Medium	Semi-mature	1	Good	...	\$12,131.86
2342	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	40	Large	Mature	1	Good	...	\$32,710.88
2343	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	10	Medium	Semi-mature	1	Good	...	\$2,394.45
2344	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	33	Large	Mature	1	Good	...	\$23,774.04
2345	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	70,22,21,19	Large	Over-mature	4	Fair	...	\$63,689.42
2346	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	25	Large	Mature	1	Fair	1	\$9,976.86
2347	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	26,20,19	Large	Mature	1	Fair	1	\$22,938.80
2348	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	25	Large	Mature	1	Poor	ASAP	\$5,986.12
2349	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	16	Large	Semi-mature	1	Fair	2	\$3,502.73
2350	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	19	Medium	Semi-mature	1	Good	...	\$10,949.00
2351	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	12	Medium	Semi-mature	1	Good	...	\$4,367.47
2352	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	15	Medium	Semi-mature	1	Good	...	\$6,824.17
2353	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	55	Large	Over-mature	1	Fair	1	\$34,795.73
2354	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	50,21	Large	Mature	1	Fair	...	\$38,365.74
2355	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	38	Large	Mature	1	Good	...	\$30,252.87
2356	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	22	Medium	Semi-mature	1	Good	...	\$14,679.55
2357	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	74	Large	Over-mature	1	Good	...	\$62,823.68
2358	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	26	Large	Mature	1	Good	...	\$20,502.85
2359	Mountain Ash-American	<i>Sorbus</i>	<i>americana</i>	5,4,3,2	Small	Semi-mature	1	Good	2	\$862.00
2360	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	31	Large	Mature	1	Good	...	\$28,566.48

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2361	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	44	Large	Mature	1	Good	...	\$50,754.45
2362	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	36	Large	Mature	1	Good	...	\$37,618.04
2363	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	36	Large	Mature	1	Good	...	\$37,618.04
2364	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	26	Large	Mature	1	Good	...	\$20,502.85
2365	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	60	Large	Over-mature	1	Good	1	\$53,094.68
2366	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	27	Large	Mature	1	Good	...	\$22,110.32
2367	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	37	Large	Mature	1	Good	...	\$39,350.70
2368	Pine-Japanese Black	<i>Pinus</i>	<i>thunbergiana</i>	12	Small	Semi-mature	1	Fair	...	\$2,462.86
2369	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	32	Large	Mature	1	Good	...	\$22,421.04
2370	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	53	Large	Mature	1	Fair	2	\$33,448.74
2371	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	42	Large	Mature	1	Good	2	\$35,092.60
2372	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	22	Large	Mature	1	Fair	1	\$6,622.35
2373	Redwood-Giant	<i>Sequoiadendron</i>	<i>giganteum</i>	41	Large	Mature	1	Good	...	\$46,022.45
2374	Alaska Yellow Cedar	<i>Xanthocyparis</i>	<i>nootkatensis</i>	8	Small	Semi-mature	1	Good	...	\$1,430.28
2375	Cedar-Deodar	<i>Cedrus</i>	<i>deodara</i>	17	Medium	Semi-mature	1	Good	...	\$7,381.28
2376	Aspen	<i>Populus</i>	<i>tremuloides</i>	58	Large	Over-mature	1	Good	1	\$29,371.22
2377	Aspen	<i>Populus</i>	<i>tremuloides</i>	56	Large	Over-mature	1	Fair	...	\$20,256.45
2378	Redbud-Eastern	<i>Cercis</i>	<i>canadensis</i>	5	Small	Young	1	Good	4	\$558.70
2379	Oak-Oregon White	<i>Quercus</i>	<i>garryana</i>	6	Medium	Semi-mature	1	Good	3	\$976.93
2380	Oak-Swamp White	<i>Quercus</i>	<i>bicolor</i>	8	Medium	Semi-mature	1	Good	...	\$1,634.61
2381	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	22	Large	Mature	1	Fair	ASAP	\$6,622.35
2382	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	45,40	Large	Mature	1	Good	...	\$71,233.00
2383	Linden-American	<i>Tilia</i>	<i>americana</i>	11	Medium	Semi-mature	1	Good	2	\$2,897.28
2384	Oak-Pin	<i>Quercus</i>	<i>palustris</i>	5	Medium	Young	1	Good	...	\$678.43
2385	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	53	Large	Mature	1	Good	...	\$46,828.23
2386	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	34	Large	Mature	1	Good	...	\$25,107.95
2387	Maple-Red	<i>Acer</i>	<i>rubrum</i>	6	Medium	Semi-mature	1	Good	3	\$689.60
2388	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	44	Large	Mature	1	Good	...	\$37,398.02

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2389	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	28,18	Large	Mature	1	Good	1	\$24,761.77
2390	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	8,7,7,5	Medium	Semi-mature	1	Good	3	\$3,582.09
2391	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	52	Large	Mature	1	Good	...	\$45,856.73
2392	Oak-White	<i>Quercus</i>	<i>alba</i>	8	Medium	Semi-mature	1	Good	3	\$1,634.61
2393	Redbud-Eastern	<i>Cercis</i>	<i>canadensis</i>	7	Small	Semi-mature	1	Good	2	\$1,095.06
2394	Plum-Purple Leaf	<i>Prunus</i>	<i>cerasifera</i>	12	Medium	Semi-mature	1	Good	2	\$2,758.40
2395	Maple-Red	<i>Acer</i>	<i>rubrum</i>	9	Medium	Semi-mature	1	Fair	1	\$1,108.29
2396	Mountain Ash-American	<i>Sorbus</i>	<i>americana</i>	12	Medium	Semi-mature	1	Fair	1	\$1,641.91
2397	Maple-Norway	<i>Acer</i>	<i>platanoides</i>	7	Medium	Semi-mature	1	Good	3	\$1,173.28
2398	Linden-American	<i>Tilia</i>	<i>americana</i>	10	Medium	Semi-mature	1	Good	2	\$2,394.45
2399	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	21	Large	Mature	1	Fair	2	\$6,034.00
2400	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	27	Large	Mature	1	Good	2	\$13,964.41
2401	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	50	Large	Mature	1	Fair	1	\$31,326.07
2402	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	33	Large	Mature	1	Good	...	\$23,774.04
2403	Oak-White	<i>Quercus</i>	<i>alba</i>	6	Small	Semi-mature	1	Good	4	\$919.47
2404	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	31,28	Large	Mature	2	Fair	...	\$27,549.96
2405	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	36	Large	Mature	1	Good	...	\$27,718.56
2406	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	51	Large	Mature	1	Good	ASAP	\$44,866.15
2407	Redbud-Eastern	<i>Cercis</i>	<i>canadensis</i>	5	Small	Young	1	Fair	3	\$399.07
2408	Oak-Swamp White	<i>Quercus</i>	<i>bicolor</i>	8	Medium	Semi-mature	1	Good	2	\$1,634.61
2409	Maple-Norway	<i>Acer</i>	<i>platanoides</i>	6	Medium	Semi-mature	1	Good	3	\$862.00
2410	Oak	<i>Quercus</i>	sp.	4	Small	Young	1	Good	4	\$357.57
2411	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	37	Large	Mature	1	Good	...	\$28,995.25
2412	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	45	Large	Mature	1	Good	...	\$38,522.12
2413	Linden-American	<i>Tilia</i>	<i>americana</i>	11	Medium	Semi-mature	1	Good	2	\$2,897.28
2414	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	45	Large	Mature	1	Good	...	\$38,522.12
2415	Oak-Swamp White	<i>Quercus</i>	<i>bicolor</i>	8	Medium	Semi-mature	1	Good	3	\$1,634.61
2416	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	34	Large	Mature	1	Good	...	\$25,107.95

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2417	Alaska Yellow Cedar	<i>Xanthocyparis</i>	<i>nootkatensis</i>	10	Medium	Semi-mature	1	Good	...	\$2,234.82
2418	Maple-Hedge	<i>Acer</i>	<i>campestre</i>	7	Medium	Semi-mature	1	Good	3	\$1,251.50
2419	Oak-Swamp White	<i>Quercus</i>	<i>bicolor</i>	9	Medium	Semi-mature	1	Good	3	\$2,068.80
2420	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	42	Large	Mature	1	Good	...	\$35,092.60
2421	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	40	Large	Mature	1	Good	...	\$32,710.88
2422	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	58	Large	Mature	1	Good	...	\$51,399.64
2423	Linden-American	<i>Tilia</i>	<i>americana</i>	9	Medium	Semi-mature	1	Good	3	\$1,939.50
2424	Oak-Swamp White	<i>Quercus</i>	<i>bicolor</i>	6	Medium	Semi-mature	1	Good	4	\$919.47
2425	Cedar-Deodar	<i>Cedrus</i>	<i>deodara</i>	10	Medium	Semi-mature	1	Good	...	\$2,554.08
2426	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	38	Large	Mature	1	Good	1	\$30,252.87
2427	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	53	Large	Mature	1	Good	1	\$46,828.23
2428	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	40	Large	Mature	1	Good	...	\$32,710.88
2429	Redbud-Eastern	<i>Cercis</i>	<i>canadensis</i>	6	Small	Semi-mature	1	Good	2	\$804.53
2430	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	43	Large	Mature	1	Good	...	\$36,254.84
2431	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	46	Large	Mature	1	Good	2	\$39,627.14
2432	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	66	Large	Mature	1	Good	ASAP	\$41,230.03
2433	Plum-Purple Leaf	<i>Prunus</i>	<i>cerasifera</i>	13,12,12	Medium	Mature	1	Fair	1	\$4,466.38
2434	Plum-Purple Leaf	<i>Prunus</i>	<i>cerasifera</i>	8,7,7	Medium	Semi-mature	1	Fair	2	\$2,216.57
2435	Maple-Vine	<i>Acer</i>	<i>circinatum</i>	4,3,2	Small	Semi-mature	1	Fair	2	\$495.99
2436	Cherry-Flowering	<i>Prunus</i>	<i>serrulata</i>	16	Medium	Semi-mature	1	Good	2	\$5,312.48
2437	Plum-Purple Leaf	<i>Prunus</i>	<i>cerasifera</i>	13,11,9,8	Medium	Mature	1	Fair	2	\$5,951.91
2438	Cherry-Flowering	<i>Prunus</i>	<i>serrulata</i>	10	Medium	Semi-mature	1	Good	2	\$2,075.19
2439	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	25	Large	Mature	1	Fair	1	\$8,551.59
2440	Maple-Red	<i>Acer</i>	<i>rubrum</i>	8	Medium	Semi-mature	1	Good	3	\$1,225.96
2441	Pine-Lodgepole	<i>Pinus</i>	<i>contorta</i>	17	Medium	Semi-mature	1	Good	2	\$5,074.63
2442	Pine-Lodgepole	<i>Pinus</i>	<i>contorta</i>	18	Medium	Mature	1	Fair	2	\$4,063.72
2443	Pine-Lodgepole	<i>Pinus</i>	<i>contorta</i>	19	Medium	Mature	1	Fair	2	\$4,527.78
2444	Pine-Lodgepole	<i>Pinus</i>	<i>contorta</i>	14	Medium	Semi-mature	1	Good	2	\$3,441.62
2445	Pine-Lodgepole	<i>Pinus</i>	<i>contorta</i>	24	Medium	Mature	1	Good	1	\$10,114.14

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2446	Pine-Lodgepole	<i>Pinus</i>	<i>contorta</i>	16	Medium	Semi-mature	1	Fair	2	\$3,210.84
2447	Pine-Lodgepole	<i>Pinus</i>	<i>contorta</i>	15	Medium	Semi-mature	1	Fair	2	\$2,822.03
2448	Pine-Lodgepole	<i>Pinus</i>	<i>contorta</i>	12	Medium	Semi-mature	1	Fair	2	\$1,806.10
2449	Maple-Red	<i>Acer</i>	<i>rubrum</i>	7	Medium	Semi-mature	1	Good	3	\$938.62
2450	Maple-Norway	<i>Acer</i>	<i>platanoides</i>	9	Medium	Semi-mature	1	Good	3	\$1,939.50
2451	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	60	Large	Mature	1	Good	...	\$53,094.68
2452	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	59	Large	Mature	1	Good	...	\$52,256.70
2453	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	10	Medium	Semi-mature	1	Good	...	\$2,394.45
2454	Maple-Red	<i>Acer</i>	<i>rubrum</i>	8	Medium	Semi-mature	1	Good	3	\$1,225.96
2455	Maple-Hedge	<i>Acer</i>	<i>campestre</i>	6	Medium	Semi-mature	1	Fair	3	\$656.76
2456	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	59	Large	Mature	1	Good	...	\$52,256.70
2457	Oak-Swamp White	<i>Quercus</i>	<i>bicolor</i>	10	Medium	Semi-mature	1	Good	3	\$2,554.08
2458	Maple-Red	<i>Acer</i>	<i>rubrum</i>	8	Medium	Semi-mature	1	Good	3	\$1,225.96
2459	Maple-Norway	<i>Acer</i>	<i>platanoides</i>	7	Medium	Semi-mature	1	Good	3	\$1,173.28
2460	Cherry	<i>Prunus</i>	sp.	14	Medium	Semi-mature	1	Fair	1	\$3,128.74
2461	Cherry-Flowering	<i>Prunus</i>	<i>serrulata</i>	5	Small	Young	1	Fair	3	\$370.57
2462	Maple-Norway	<i>Acer</i>	<i>platanoides</i>	2	Small	Young	1	Good	4	\$95.78
2463	Oak-Northern Red	<i>Quercus</i>	<i>rubra</i>	2	Small	Young	1	Good	3	\$114.93
2464	Oak-Pin	<i>Quercus</i>	<i>palustris</i>	11	Medium	Semi-mature	1	Good	2	\$3,283.58
2465	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	19	Large	Mature	1	Good	2	\$6,915.16
2466	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	26	Large	Mature	1	Fair	1	\$9,249.40
2467	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	38	Large	Mature	1	Poor	1	\$12,965.51
2468	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	27	Large	Mature	1	Good	1	\$16,291.81
2469	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	33	Large	Mature	1	Good	...	\$23,774.04
2470	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	60	Large	Mature	1	Good	ASAP	\$53,094.68
2471	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	59	Large	Over-mature	1	Fair	1	\$37,326.21
2472	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	44	Large	Mature	1	Poor	1	\$16,027.72
2473	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	38	Large	Mature	1	Fair	...	\$21,609.19
2474	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	35,33,32,22	Large	Over-mature	1	Good	1	\$83,434.38
2475	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	27,27	Large	Mature	1	Good	...	\$32,583.62

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2476	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	20,12,11,10	Large	Mature	4	Good	...	\$14,654.01
2477	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	40	Large	Mature	1	Good	2	\$32,710.88
2478	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	31,23	Large	Mature	1	Good	2	\$32,871.16
2479	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	38	Large	Mature	1	Fair	1	\$21,609.19
2480	Plum-Purple Leaf	<i>Prunus</i>	<i>cerasifera</i>	5,3	Small	Semi-mature	1	Fair	2	\$465.21
2481	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	32	Large	Mature	1	Poor	1	\$9,609.02
2482	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	5	Small	Young	1	Good	...	\$598.61
2483	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	7	Medium	Semi-mature	1	Good	3	\$1,173.28
2484	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	3	Small	Young	1	Good	...	\$215.50
2485	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	3	Medium	Young	1	Fair	...	\$123.14
2486	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	4	Small	Young	1	Dead	2	...
2487	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	4	Small	Young	1	Good	...	\$383.11
2488	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	5	Medium	Young	1	Fair	3	\$342.06
2489	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	5	Medium	Young	1	Fair	...	\$427.58
2490	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	6	Medium	Semi-mature	1	Fair	...	\$615.71
2491	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	6	Medium	Semi-mature	1	Fair	...	\$615.71
2492	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	8	Medium	Semi-mature	1	Poor	2	\$525.41
2493	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15,13	Large	Semi-mature	1	Dead	1	...
2494	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	20,13	Large	Mature	1	Poor	1	\$5,449.76
2495	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Large	Semi-mature	1	Dead	1	...
2496	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	14,9	Large	Semi-mature	2	Dead	1	...
2497	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	14	Large	Semi-mature	1	Fair	2	\$3,128.74
2498	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15,10	Large	Mature	1	Poor	1	\$3,112.78
2499	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	8	Medium	Semi-mature	1	Dead	1	...
2500	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Medium	Semi-mature	1	Fair	...	\$1,931.52
2501	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	10,10,8	Large	Mature	1	Fair	...	\$4,214.23
2502	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15	Large	Semi-mature	1	Good	...	\$5,028.34
2503	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	10,10,10,9	Large	Mature	1	Fair	2	\$6,081.89
2504	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	9	Medium	Semi-mature	1	Dead	1	...
2505	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Large	Semi-mature	1	Dead	1	...

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2506	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	22,10	Large	Mature	1	Fair	2	\$9,322.38
2507	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Medium	Semi-mature	1	Fair	...	\$1,931.52
2508	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	13,10,8,5	Large	Mature	1	Fair	1	\$5,714.74
2509	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	14,14	Large	Mature	1	Fair	1	\$6,257.49
2510	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	22,12,11	Large	Mature	1	Dead	1	...
2511	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	21,13,11	Large	Mature	3	Dead	1	...
2512	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	21	Large	Mature	1	Good	...	\$9,855.54
2513	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	22,7	Large	Mature	1	Good	...	\$11,911.57
2514	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	30,23	Large	Mature	1	Fair	ASAP	\$22,811.09
2515	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15,13	Large	Mature	1	Fair	1	\$6,289.41
2516	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	14	Large	Semi-mature	1	Poor	1	\$1,877.25
2517	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	23	Large	Mature	1	Good	1	\$11,822.18
2518	Elder-European Red	<i>Sambucus</i>	<i>racemosa</i>	3	Small	Young	1	Poor	2	\$86.20
2519	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	9	Medium	Semi-mature	1	Good	3	\$1,551.60
2520	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	8	Medium	Semi-mature	1	Good	3	\$1,225.96
2521	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	10	Medium	Semi-mature	1	Good	2	\$1,915.56
2522	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	34	Large	Mature	1	Good	...	\$25,107.95
2523	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	2	Small	Young	1	Good	...	\$95.78
2524	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	6	Medium	Semi-mature	1	Good	3	\$689.60
2525	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	7	Medium	Semi-mature	1	Good	...	\$1,173.28
2526	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	2	Small	Young	1	Fair	...	\$68.41
2527	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	6	Medium	Semi-mature	1	Good	...	\$862.00
2528	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	7	Small	Semi-mature	1	Fair	3	\$670.44
2529	Maple-Norway	<i>Acer</i>	<i>platanoides</i>	2	Small	Young	1	Good	4	\$95.78
2530	Oak-Bur	<i>Quercus</i>	<i>macrocarpa</i>	2	Small	Young	1	Good	5	\$102.16
2531	Maple-Norway	<i>Acer</i>	<i>platanoides</i>	2	Small	Young	1	Good	5	\$95.78
2532	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	39	Large	Mature	1	Good	1	\$31,491.41
2533	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	7	Medium	Semi-mature	1	Good	...	\$1,173.28
2534	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	7	Medium	Semi-mature	1	Good	3	\$938.62

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2535	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	8	Medium	Semi-mature	1	Good	3	\$1,225.96
2536	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	37	Large	Mature	1	Good	...	\$28,995.25
2537	Mountain Ash-American	<i>Sorbus</i>	<i>americana</i>	2	Small	Young	1	Good	3	\$63.85
2538	Maple-Norway	<i>Acer</i>	<i>platanooides</i>	2	Small	Young	1	Good	5	\$95.78
2539	Oak-Bur	<i>Quercus</i>	<i>macrocarpa</i>	2	Small	Young	1	Good	5	\$102.16
2540	Oak-Bur	<i>Quercus</i>	<i>macrocarpa</i>	2	Small	Young	1	Good	5	\$102.16
2541	Maple-Norway	<i>Acer</i>	<i>platanooides</i>	2	Small	Young	1	Good	5	\$95.78
2542	Oak-Bur	<i>Quercus</i>	<i>macrocarpa</i>	2	Small	Young	1	Good	5	\$102.16
2543	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	32	Large	Mature	1	Fair	ASAP	\$16,015.03
2544	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	31	Large	Mature	1	Fair	1	\$15,034.99
2545	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	34	Large	Mature	1	Good	...	\$25,107.95
2546	Maple-Norway	<i>Acer</i>	<i>platanooides</i>	2	Small	Young	1	Good	5	\$95.78
2547	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	42	Large	Mature	1	Good	2	\$35,092.60
2548	Maple-Shantung	<i>Acer</i>	<i>truncatum</i>	2	Small	Young	1	Good	4	\$76.62
2549	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	9	Medium	Semi-mature	1	Good	...	\$1,939.50
2550	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	8	Medium	Semi-mature	1	Good	...	\$1,532.45
2551	Hawthorn-English	<i>Crataegus</i>	<i>laevigata</i>	3,2,2,2	Small	Semi-mature	1	Fair	2	\$215.50
2552	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	6	Medium	Semi-mature	1	Good	...	\$862.00
2553	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	4	Medium	Young	1	Good	...	\$383.11
2554	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	9	Medium	Semi-mature	1	Good	...	\$1,939.50
2555	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	9	Medium	Semi-mature	1	Good	...	\$1,939.50
2556	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	5	Medium	Young	1	Good	...	\$598.61
2557	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	37	Large	Mature	1	Fair	ASAP	\$20,710.89
2558	Plum-Purple Leaf	<i>Prunus</i>	<i>cerasifera</i>	4,2	Small	Semi-mature	1	Good	3	\$383.11
2559	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	27	Large	Mature	1	Fair	ASAP	\$11,637.01
2560	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	23	Medium	Mature	1	Good	2	\$10,133.30
2561	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	24	Large	Mature	1	Good	...	\$12,872.54
2562	Walnut-Persian	<i>Juglans</i>	<i>regia</i>	10,8	Medium	Semi-mature	1	Good	2	\$4,188.68
2563	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	19,14,14,12	Large	Mature	4	Good	...	\$20,046.30

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2564	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15	Large	Mature	1	Fair	2	\$3,591.67
2565	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	23,15,15	Large	Mature	3	Good	2	\$21,878.85
2566	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11	Large	Semi-mature	1	Good	...	\$2,704.13
2567	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15	Large	Semi-mature	1	Good	...	\$5,028.34
2568	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11,9,6	Large	Mature	1	Fair	...	\$3,799.19
2569	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	13	Large	Semi-mature	1	Good	2	\$3,237.29
2570	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	19	Large	Mature	1	Good	...	\$8,067.69
2571	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15	Medium	Semi-mature	1	Dead	1	...
2572	Willow-Scouler's	<i>Salix</i>	<i>scouleriana</i>	8	Medium	Semi-mature	1	Fair	3	\$1,021.63
2573	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	29	Large	Mature	1	Good	1	\$18,794.81
2574	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15	Large	Semi-mature	1	Good	...	\$5,028.34
2575	Spruce-Colorado Blue	<i>Picea</i>	<i>pungens</i>	8	Small	Semi-mature	1	Good	...	\$1,123.79
2576	Redwood-Coast	<i>Sequoia</i>	<i>sempervirens</i>	14,9	Medium	Semi-mature	1	Good	3	\$6,632.62
2577	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	11,6,4,4	Medium	Semi-mature	1	Poor	1	\$1,551.60
2578	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	15,13,7	Medium	Mature	1	Poor	1	\$4,242.96
2579	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	25	Large	Mature	1	Dead	ASAP	...
2580	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	13	Medium	Semi-mature	1	Poor	1	\$1,618.65
2581	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	13,11	Large	Mature	1	Poor	1	\$2,777.56
2582	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	14	Large	Semi-mature	1	Fair	1	\$3,128.74
2583	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	18	Large	Mature	1	Fair	...	\$5,172.00
2584	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	17,17,15,13	Large	Mature	1	Good	...	\$21,722.42
2585	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	18,9	Large	Mature	1	Poor	1	\$3,879.00
2586	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	5	Medium	Young	1	Good	...	\$558.70
2587	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	18,16,14	Large	Mature	1	Fair	1	\$12,387.27
2588	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	16	Large	Semi-mature	1	Good	...	\$5,721.13
2589	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	23,14	Large	Mature	1	Good	2	\$16,202.42
2590	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	13,12	Large	Mature	1	Good	...	\$6,994.98
2591	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	10,6	Medium	Semi-mature	1	Poor	1	\$1,302.58
2592	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	5	Medium	Young	1	Dead	1	...

Tree ID	Common Name	Genus	Species	DBH	Height Class	Age Class	Stems	Condition Class	Tree Work Phase	Tree Asset Value
2593	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	11,6	Medium	Over-mature	1	Poor	1	\$1,503.71
2594	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	10	Medium	Semi-mature	1	Dead	1	...
2595	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	7	Medium	Semi-mature	1	Dead	1	...
2596	Maple-Bigleaf	<i>Acer</i>	<i>macrophyllum</i>	8,5,4	Medium	Semi-mature	1	Dead	1	...
2597	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	11	Medium	Semi-mature	1	Good	3	\$2,897.28
2598	Sumac-Staghorn	<i>Rhus</i>	<i>typhina</i>	3,2	Small	Semi-mature	1	Good	...	\$311.28
2599	Spruce-Colorado Blue	<i>Picea</i>	<i>pungens</i>	10	Small	Semi-mature	1	Good	...	\$1,755.93
2600	Cedar-Deodar	<i>Cedrus</i>	<i>deodara</i>	12	Medium	Semi-mature	1	Good	...	\$3,677.87
2601	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	5	Small	Young	1	Good	3	\$478.89
2602	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	10	Medium	Semi-mature	1	Good	...	\$2,394.45
2603	Cedar-Deodar	<i>Cedrus</i>	<i>deodara</i>	12	Medium	Semi-mature	1	Good	...	\$3,677.87
2604	Pine-Lodgepole	<i>Pinus</i>	<i>contorta</i>	7	Small	Semi-mature	1	Good	3	\$860.40
2605	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	2,1,1	Small	Young	1	Fair	3	\$82.10
2606	Pine-Scotch	<i>Pinus</i>	<i>sylvestris</i>	10	Medium	Semi-mature	1	Good	...	\$1,596.30
2607	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	13	Medium	Semi-mature	1	Good	3	\$4,046.61
2608	Ash-Green	<i>Fraxinus</i>	<i>pennsylvanica</i>	1,1,1,1	Small	Young	1	Good	2	\$83.01
2609	Ash-Green	<i>Fraxinus</i>	<i>pennsylvanica</i>	2,1,1,1	Small	Young	1	Good	2	\$145.26
2610	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	13	Medium	Semi-mature	1	Good	...	\$4,046.61
2611	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	1,1,1,1	Small	Young	1	Good	2	\$76.62
2612	Ash-Oregon	<i>Fraxinus</i>	<i>latifolia</i>	4	Small	Young	1	Poor	2	\$131.35
2613	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	4	Medium	Young	1	Poor	2	\$153.24
2614	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	14,10	Large	Semi-mature	1	Dead	1	...
2615	Spruce-Colorado Blue	<i>Picea</i>	<i>pungens</i>	4	Small	Young	1	Good	...	\$280.95
2616	Cedar-Deodar	<i>Cedrus</i>	<i>deodara</i>	12	Medium	Semi-mature	1	Good	...	\$3,677.87
2617	Douglas Fir	<i>Pseudotsuga</i>	<i>menziesii</i>	14	Medium	Semi-mature	1	Good	...	\$4,693.11
2618	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	5,5	Medium	Semi-mature	1	Dead	1	...
2619	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	17	Large	Semi-mature	1	Good	3	\$6,458.62
2620	Cottonwood-Black	<i>Populus</i>	<i>trichocarpa</i>	4	Medium	Young	1	Good	...	\$357.57

Clackamette Park

Master Plan Open House #1

Item #1.

March 1, 2022 6 PM
City Hall, 625 Center Street, Oregon City, OR 97045 (& via Zoom)



The City of Oregon City is developing a new master plan for Clackamette Park. The 25-acre park has served the region and Oregon City residents for decades offering green spaces, woodlands, trails, river access and a variety of amenities. It's time to think about the future of this wonderful amenity and cherished resource.

A series of interactive public meetings will be held to create a foundation for the master plan, review concept ideas and provide input on a final master plan for the park. Come to open house #1 to review existing conditions, thoughts on park programming, and setting goals and a vision for the Clackamette Park.

We would love to hear from you! To take the project survey, register for the open house or for more project information, scan the QR code below. The survey will be open through March 12th.

**TAKE THE
SURVEY**



Project Website - <https://bit.ly/ClackametteMasterPlan>
Contact - parksinfo@orc.org



Clackamette Park Open House

Name

Contact Information

Brett Gianella

Jonathan Nussbaum

BrettGianella @ Gmail.com

~~Jonathan Nussbaum~~ nussbaum.jonathan@gmail.com

FORREST FOXWORTHY

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BALL4 @ WEB-STER.COM

Karen Pederson

Karen.oregon@gmail.com

Luke Spencer clackamasriveroutfitters@gmail.com

Memorandum

Date: 03.01.2022
To: internal
From: Brian Martin
Project: Clackamette Park Master Plan
RE: **Open House #1 meeting content summary**

The first public open house for Clackamette Park was a hybrid meeting where guests had the choice to attend in person at City Hall or to attend virtually via Zoom.

This first meeting provided an opportunity for members of the public to meet the city staff and design team involved with the Clackamette Park Master Plan effort. The team presented the overall master plan schedule, highlighting key project milestones and upcoming dates of importance. Next, the team walked guests through an overview of the site opportunities and constraints that relate to the Clackamette Park site. This included an introduction to the park site, its relationship with the surrounding communities, historic and present uses of the park and a detailed review of the existing park amenities. Contextual information including floodplain maps and tree canopy maps were presented. Lastly, the public was given the opportunity to provide input on the park and the discussion was focused on three main categories: park character, site amenities and river access.



OREGON CITY

Community Development – Planning

695 Warner Parrott Road | Oregon City OR 97045

Ph (503) 722-3789 | Fax (503) 722-3880

PA-22-00046

Pre-Application Conference Notes

Meeting Date: 9/28/2022

Final Notes Sent: 10/11/2022

These non-binding pre-application conference notes reflect the applicant's submission to the City along with the discussion at the meeting. The applicant has one week from the receipt of the notes to notify City staff of any perceived mistake or omission in the notes; staff will then review and respond to the inquiry, and the inquiry will be added to the City's file. If no notification is received within 7 business days, the notes will be considered final and will not be modified. See additional disclaimers at the end of this document.

Proposed Project: Clackamette Park Master Plan

Address: No Situs address

Parcels:	2-2E-30 -00600	20.09 ac
	2-2E-30 -00100	1.41 ac
	2-2E-30 -00102	2.69 ac
	2-2E-30 -00500	1.11 ac
	2-2E-30 -00601	1.05 ac
	2-2E-30 -01300	0.69 ac

Total Acres: **27 ac**

General Information: The Clackamette Park Master Plan is a result of a robust public process that addressed the regional park's open space, trail system, parking, boat launch and green space. The master plan also includes a new play area, plazas, overlooks and addresses future potential mitigation areas.

Zoning: I – Institutional Zone
 Comprehensive Plan Designation: P - Parks
 Use: Permitted per OCMC [17.39.020.\(B\)](#)

Review Process: This will be a Type III Planning Commission decision. The application is anticipated to consist of the following concurrent land use application review types:

Application / Review	Oregon City Municipal Code Chapter, (Section)**	Review Fee*
Master Plans and Planned Unit Developments	17.65	\$8,056
General Development Plan	17.65.050	
Detailed Development Plan(s)	17.65.060 ,	
	17.62	

Property Line Abandonment (Lot Consolidation) - Optional	16.20	\$,1354
Geologic Hazards Overlay District	17.44	\$1,015
Natural Resources Overlay District Review - + Consultant Fee	17.49	\$2,289 Actual Cost
Willamette River Greenway Overlay District Review (Type III)	17.48	\$1,786
Flood Management Overlay District Review	17.42	\$1,114
Public Improvement - Modification	16.12 16.12.013	\$414
Transportation Impact Analysis		tbd

*https://www.orcity.org/sites/default/files/fileattachments/planning/page/4321/2022_planning_fees.pdf

** Planning staff will provide the applicant with a Code Response template with applicable approval criteria from the Oregon City Municipal Code, and applicable Comprehensive Plan Goals and Policies to address in the application narrative.

Master Plan Comments

- A Master Plan (I.E. General Development Plan and Detailed Development Plan) must be submitted per OCMC 17.65.030.A., because the site is zoned I - *Institutional* and is more than ten acres in size.
- Individual phases, if phasing is proposed, may be submitted as separate Type II Detailed Development Plan applications, once a General Development Plan has been approved through a Type III process.
- Standards that apply:
 - 17.65.050 - General development plan.
 - Approval Criteria in subsection (C) 1-7.
 - 17.65.060 - Detailed development plan.
 - Approval Criteria in subsection (B) 1-3.
 - 17.65.070 - Adjustments to development standards.
 - May be requested through the Type III process.
- See the following link for details regarding the Type III review process:
 -  [Type III Procedure](#)
- 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. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission or the historic review board hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission or the historic review board, all issues are addressed. The decision of the planning commission or historic review board is appealable to the city commission, on the record pursuant to OCMC 17.50.190. The city commission decision on appeal from is the city's final decision and is subject to review by LUBA within twenty-one days of when it becomes final, unless otherwise provided by state law.

Additional Planning Division Review Fees

- Mailing Labels: \$18 – Planning generates from GIS using latest tax roll and occupant data.
- Incomplete Applications:
 - First incomplete - no charge for first incomplete submittal;
 - \$325 for each incomplete submittal thereafter
- Re-notice fee (if required): \$677
- The 2022 fee schedule can be found [here](#).

Site Plan Review Comments

- The General Development Standards in OCMC 17.62.050 are the principal site plan and design review criteria that apply to the proposal.
- Staff could not determine whether any new buildings over 1000 square feet in size are proposed.
- Accessory structures less than 1000 square feet in size would not be subject the design requirements OCMC section 17.62.055 - *Institutional, office, multi-family, retail, and commercial building standards*.

Parking Spaces

- Minimum and Maximum Parking Requirements: the parking code chapter OCMC 17.52 does not have a category for parks. Requirements for types of buildings and uses not specifically listed in the code shall be determined by the community development director, based upon the requirements of comparable uses listed. You may reference other uses and jurisdictions and justifying the number of parking spaces through a Traffic Analysis Letter.
- Parking needs may be determined by comparing the proposed park use to similar regional park uses in the region. It is projected that the park will be utilized by visitors from outside the city and by neighborhood residents, who will likely drive or use other forms of transportation (bike, walk, tri-met). Since this park will include both active and passive recreation uses, the parking analysis should reflect the higher intensity park use in the Transportation Analysis.

Natural Resources Overlay District – OCMC 17.49

- The entirety of Clackamette Park is within the Natural Resources Overlay District.
- Pre-existing structures, parking areas, lawns and gardens are permitted to remain.
- New impervious surfaces and non-exempt features such as paved trails, decks, overlook areas, boat ramps, parking, etc. would require mitigation pursuant to
- It appears that significant portions of existing impervious surfaces (RV park, roads and graveled areas) are being removed, resulting in a net decrease in impervious surfaces. Impervious surfaces that are removed from the NROD and replaced with native plantings would be considered enhancement. Per code, are exempt uses.
- Please provide calculations of net impervious area before and after the development.
- Exempt uses include:
 - Stream, wetland, riparian, and upland restoration or enhancement projects as authorized by the city
 - Routine repair and maintenance of existing structures, roadways, driveways and utilities.
 - Replacement, additions, alterations and rehabilitation of existing structures, roadways, utilities, etc., where the ground level impervious surface area is not increased.
- Uses allowed under prescribed conditions include:
 - 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.
- H. Utility lines subject to OCMC 17.49.140.
- I. Stormwater detention or pre-treatment facilities subject to OCMC 17.49.155.
- K. City, county and state capital improvement projects, including sanitary sewer, water and stormwater facilities, water stations, and parks and recreation projects.
- L. Non-hazardous tree removal that is not exempted pursuant to OCMC 17.49.080.K.4
- M. Fences that do not meet the standards for exemption pursuant to OCMC 17.49.080.O.4.
- Mitigation is required for new impacts to the NROD per section [17.49.180](#).
- The mitigation report shall be prepared by a qualified professional.
- Removal of invasive species from the site is required.

Willamette River Greenway Review (WRG) – OCMC Chapter 17.48

- The park is entirely within the Willamette River Greenway overlay district
- All uses permitted pursuant to the provisions of the underlying zoning district are permitted on lands designated WRG; provided, however, that any development, change of use or intensification of use shall be subject, in addition to the provisions of the underlying district, to the provisions of this chapter.
- The application will be reviewed for compliance with the following WRG standards:
 - Development Standards for Recreation Use –17.48.070.(A).
 - Development Standards – General Considerations –17.48.080.
 - Compatibility Review – 17.48.090.

Geologic Hazards Overlay District – OCMC 17.44

- Please refer to Development Services separate notes and comments from Pali Consulting

Flood Management Overlay District – OCMC 17.42

- A code response narrative and applicable plans addressing the applicable standards will be part of the application.
- Jim Sayers, Building Official, is the City's floodplain administrator.

Transportation Impacts:

The applicant will need to have a traffic engineer conduct a transportation study in conformance with the City's Guidelines for Transportation Impact Analyses available on the Oregon City website. A new version of the Guidelines became effective on July 16, 2021. See DKS notes for more details.

Tree Protection/Mitigation and Street Trees

Tree removal during the land development process is subject to compliance with tree protection and mitigation standards.

- Street trees are subject to OCMC Chapter 12.08
- A street tree plan demonstrating compliance with OCMC 12.08 is required
- The applicant's submittal should identify species and size of all existing trees onsite.
- Tree removal is subject to OCMC Chapter 17.41
- Tree protection standards can be found in OCMC Section 17.41.130
- A tree mitigation plan prepared by a qualified professional is required in accordance with OCMC Chapter 17.41.
- Street trees species may be provided abutting the ROW if conditions preclude a standard planter strip or tree wells. Native tree species are required within the NROD.

Other notes:

- The applicant is encouraged to contact the Oregon City [Natural Resources Committee](#) for input and advice on ways to further the purpose of the natural resources overlay district, whether or not a development application is proposed within the natural resources overlay district. Any advice given by the natural resources committee is non-binding on the applicant and the natural resources committee, and shall not relieve an applicant from compliance with this chapter.
- A neighborhood association meeting is required prior to application. The proposed development is within the Two Rivers Neighborhood Association.
- Please include the Citizen Involvement Committee Chair, Bob La Salle, in any Neighborhood Association meeting requests, notifications or correspondence. Bob can be reached at jeanbob06@comcast.net.
- Your application was transmitted to the State Historic Preservation Office (SHPO) and affected tribes for review. Comments received will be provided to the applicant.
- Renderings are highly encouraged when applications will be reviewed by the Planning Commission.
- We encourage a diversity of native tree species throughout your development.

List of Applicable Code Chapters

The following code chapters may be applicable to the review of this proposal. Staff will provide you with a Code Response template to assist you with the preparation of your application.

For the General Development Plan:

Please note that if any adjustments to code chapters listed below are required, the applicant should address them at the time of General Development Plan and respond to the relevant criteria in the chapter at the time of GDP submittal.

- [Chapter 12.04 - STREETS, SIDEWALKS AND PUBLIC PLACES](#)
- [Chapter 17.39 - I INSTITUTIONAL DISTRICT](#)
- [Chapter 17.42 - FLOOD MANAGEMENT OVERLAY DISTRICT](#)
- [Chapter 17.44 - GEOLOGIC HAZARDS](#)
- [Chapter 17.47 - EROSION AND SEDIMENT CONTROL](#)
- [Chapter 17.48 - WRG WILLAMETTE RIVER GREENWAY OVERLAY DISTRICT](#)
- [Chapter 17.49 - NATURAL RESOURCE OVERLAY DISTRICT](#)
- [Chapter 17.50 - ADMINISTRATION AND PROCEDURES](#)
- [Chapter 17.52 - OFF-STREET PARKING AND LOADING](#)
- [Chapter 17.54 - SUPPLEMENTAL ZONING REGULATIONS AND EXCEPTIONS](#)
- [Chapter 17.62 - SITE PLAN AND DESIGN REVIEW](#)
- [Chapter 17.65 - MASTER PLANS AND PLANNED UNIT DEVELOPMENTS](#)

For the Detailed Development Plan:

- [Chapter 12.04 - STREETS, SIDEWALKS AND PUBLIC PLACES](#)
- [Chapter 12.08 - PUBLIC AND STREET TREES](#)
- [Chapter 13.12 - STORMWATER MANAGEMENT](#)
- [Chapter 15.48 - GRADING, FILLING AND EXCAVATING](#)
- [Chapter 16.12 - MINIMUM PUBLIC IMPROVEMENTS AND DESIGN STANDARDS FOR DEVELOPMENT](#)
- [Chapter 16.20 - PROPERTY LINE ADJUSTMENTS AND ABANDONMENT PROCESS AND STANDARDS](#)
- [Chapter 17.39 - I INSTITUTIONAL DISTRICT](#)
- [Chapter 17.41 - TREE PROTECTION, PRESERVATION, REMOVAL AND REPLANTING STANDARDS](#)
- [Chapter 17.42 - FLOOD MANAGEMENT OVERLAY DISTRICT](#)

- Chapter 17.44 - GEOLOGIC HAZARDS
- Chapter 17.47 - EROSION AND SEDIMENT CONTROL
- Chapter 17.48 - WRG WILLAMETTE RIVER GREENWAY OVERLAY DISTRICT
- Chapter 17.49 - NATURAL RESOURCE OVERLAY DISTRICT
- Chapter 17.50 - ADMINISTRATION AND PROCEDURES
- Chapter 17.52 - OFF-STREET PARKING AND LOADING
- Chapter 17.54 - SUPPLEMENTAL ZONING REGULATIONS AND EXCEPTIONS
- Chapter 17.62 - SITE PLAN AND DESIGN REVIEW
- Chapter 17.65 - MASTER PLANS AND PLANNED UNIT DEVELOPMENTS

Public Works Development Engineering Services:

Sang Pau, PE, Project Engineer, reviewed the pre-application submittal and prepared separate conference notes.
Email: spau@orccity.org, Phone: 971-204-4629

Planning Division:

Pete Walter, Planning Manager, reviewed the pre-application submittal and prepared these conference notes. Pete Walter will be the reviewer for the land use application and your point of contact for all review-related matters. The Planning Division uses third-party consultants to review certain parts of the application for compliance with city code. Additional review costs apply for this review. Consultants will include:

- Transportation Impact Analysis: DKS Engineering
- Natural Resources Overlay District Review: David Evans and Associates
- Geologic Hazards Overlay District Review: Pali Consulting, Inc.

Email: pwalter@orccity.org, Phone: (503) 496-1562

Building Division:

Your application was transmitted to our Building Official. You may contact Jim Sayers, Building Official, at 503.496.1517 or jsayers@orccity.org if you have any building related questions.

Clackamas County Fire:

Your application was transmitted to Mike Boumann, Lieutenant Deputy Fire Marshal of Clackamas County Fire District #1. No comments were returned regarding your application. You may contact Mr. Boumann at 503.742.2660 or at mike.boumann@ClackamasFire.com.

Public Disclosure:

The purpose of a pre-application meeting is to introduce the impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal (City Code 17.50.050). Omissions or failures by staff to identify all relevant applicable land use requirements or how they might affect a proposal may occur, either as a result of a limited pre-application submittal or the consideration of discretionary criteria.

All pre-application conference related communications, including these notes, are informational only. They do not substitute for a public hearing and no land use decision is rendered at this phase. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of the Oregon City Municipal Code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Pre-application conferences are required by Section 17.50.050 of the City Code, as follows:

- Preapplication Conference. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with City staff to discuss the proposal. To schedule a preapplication conference, the applicant shall contact the Planning Division, submit the required materials,*

and pay the appropriate conference fee. 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. The purpose of the preapplication 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. 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 preapplication conference. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

- B. A preapplication 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 must schedule and attend another conference before the City will accept a permit application. The community development director may waive the preapplication requirement if, in the Director's opinion, the development does not warrant this step. In no case shall a preapplication conference be valid for more than one year.*



Date: December 1, 2022

File No: PA-22-00046

Request: Pre-application meeting transportation engineering comments

Reviewer: Amanda Deering, P.E., DKS Associates

COMMENTS

The applicant is proposing updates to Clackamette Park at 1955 Clackamette Dr in Oregon City based on the Clackamette Park Master Plan. This plan includes additional parking spaces for vehicles, a separate boat ramp for motorized vehicles, and minor updates to the amenities. The applicant will need to have a traffic engineer conduct a transportation study in conformance with the City's Guidelines for Transportation Impact Analyses available on the Oregon City website. A new version of the Guidelines became effective on July 16, 2021.

Based on the information provided by the applicant, it appears the trip generation level¹ triggers the need to submit a Transportation Analysis Letter (TAL). Among other requirements, a TAL includes trip generation and site plan review. No traffic operations are typically required for a TAL. For this specific site, all-way stop control warrants are requested to be performed at the new intersection of Main St and Clackamette Drive at the park entrance. Additionally, please address the need for any pedestrian crossings across Main Street between parking lots and park amenities.

The applicant's traffic engineer is welcome to contact the city's traffic engineering consultant, Reah Flisakowski (r1f@dksassociates.com) and Amanda Deering (amanda.deering@dksassociates.com) with DKS Associates.

¹ No trip generation estimates have been provided thus far. If trip generation exceeds the threshold for a TAL, DKS reserves the right to request additional analysis.