CITY OF OREGON CITY
PLANNING COMMISSION
AGENDA

Commission Chambers, Libke Public Safety Building, 1234 Linn Ave, Oregon City
Monday, June 24, 2024 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@orcity.org or call 503-722-3789 by 3:00 PM on the day of the meeting to register)*
- *Email ocplanning@orcity.org (deadline to submit written testimony via email is 3:00 PM on the day of the meeting)*
- *Mail to City of Oregon City, Attn: City Recorder, P.O. Box 3040, Oregon City, OR 97045*

CALL TO ORDER AND ROLL CALL

MEETING MINUTES

1. Meeting Minutes Approval for June 10, 2024.

PRESENTATIONS

2. Presentation about growth assumptions in infrastructure master plans

DISCUSSION

3. Park Place Concept Plan Code Refinement

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
PLANNING COMMISSION
MINUTES

Commission Chambers, Libke Public Safety Building, 1234 Linn Ave, Oregon City
Monday, June10, 2024 at 7:00 PM

CALL TO ORDER AND ROLL CALL

Chair Stoll called the meeting to order at 7:00 PM.

Present: 6 – Chair Stoll, Vice Chair Paul Espe, Commissioner Dirk Schlagenhaufer, Commissioner Bob La Salle, Commissioner Karla Laws, Commissioner Brandon Dole

Absent: 1 - Commissioner Daphne Wuest

Staffers: 2 - Community Development Director Aquilla Hurd-Ravich, Planning Manager Pete Walter, Deputy City Attorney Carrie Richter

PUBLIC COMMENT

None

MEETING MINUTES

1. Meeting Minutes for Approval: May 13, 2024.

   A motion was made by Commissioner Espe, seconded by Commissioner LaSalle to approve the meeting minutes.

   The motion carried by the following vote: Yea: 6 - Commissioner LaSalle, Commissioner Laws, Commissioner Dole, Commissioner Schlagenhaufer, Vice Chair Espe and Chair Stoll

PRESENTATION

2. Presentation from representatives from the Housing Authority of Clackamas County and Northwest Housing Alternatives.

   Community Director Aquilla Hurd-Ravich introduced the presentation. This was identified as an item on the workplan that the commission desired to understand better. She described the difference between Affordable Housing and Housing Affordability.

   Devin Ellen, Clackamas County Housing Authority and Trell Anderson, NW Housing Alternatives provided information about their programs and how they assist with Affordable Housing in the area.

   Trell explained that Housing Affordability is seen as a household not spending

more than 30% of their income on housing including utilities. Section 8 program provides rent assistant vouchers that travel with a household and assist in the affordability of their housing.

Affordable Housing is simply “bricks and sticks” (front door and roof) for a household. Public Housing units that the county has. Regulatory agreements are in place. Local jurisdictions can engage in assisting in getting Affordable Housing. An example is applying an excise tax to other developments that is then put into a trust fund to be used for future affordable housing projects.

Commissioners expressed interest in what happens to the people in the current housing that is being taken down and rebuilt in the Park Place area. Section 18 provides rental assistance and placement services for those who are being displaced due to the re-development.

Trell provided some resources for jurisdictions looking for additional information. Strong Towns, a national non-profit, has a toolkit. The city of Milwaukie has a toolkit and a good example of an Affordable Housing Action Plan.

PUBLIC COMMENT

A. Michael Doran of Oregon City spoke about the future of the Oregon City View Manor 20 acres on Holcomb Blvd and the continued issues of traffic on Holcomb Blvd. Lots of construction already going on and when that public housing land is eventually sold, what happens to the roads and infrastructure? Talk about Holly Lane and Swan Ave extensions, but that is not known if/when that will happen.

DISCUSSION

3. Park Place Concept Plan Code Refinement

Community Development Director Aquilla Hurd-Ravich explained that this was accidentally listed on the agenda as a Public hearing, but it is a Discussion item and a continuation of the May 13 meeting. She reminded everyone that this is not changing the Concept Plan but is changing the Municipal Code and how the Concept Plan is implemented.

Planning Manager Pete Walter briefly reviewed the background of the PPCP to date and explained that we have not started the legislative process yet. He also highlighted the 11 Key Elements. The goal is to have the legislative process begin late summer/early fall.

Deputy City Attorney Carrie Richter walked the commissioners through some legal parameters to keep in mind while reviewing the Code amendments. State laws have changed since the original Concept Plan was adopted. A Memorandum outlining the issues was provided in the Agenda Packet and covered 1) Extension of Holly Lane and Swan Avenue, 2) Limitations to the Regulation of Housing, 3) Provisions of Parkland, 4) Protecting the Neighborhood Commercial Zone and 5) Green On-Site Stormwater Treatment.

Community Director Aquilla Hurd-Ravich went through the Key Elements and options outlined in the staff report and got feedback from the Commissioners.

Key Element 1 received a consensus for Option 2.

Key Element 2 will be addressed in code amendments.

Key Element 3 received a variety of feedback from the commissioners. This element will be looked at when they get to the code amendment section.

Key Element 4 will also be looked at further when the commercial code chapter is amended.

Key Element 5 suggests using lot density which is something that was removed by the Commission already and do not believe it is a desire to add it back in. The 2nd option will come up in the code amendments.

Key Element 6 would be a combination of options 1 & 3.

Key Element 7 has been discussed with the City Engineer and there is not more to be done as code has been adopted.

Key Element 8 is covered by the NROD and Geo Hazard chapters which were already adopted.

Key Element 9 is tricky due to topography. Consensus is to keep the Streets and Buildings oriented for solar access out of the code.

Key Element 10 would require analysis if the commission wants to pursue this amendment. One commissioner suggested not pursuing this.

Key Element 11 will be addressed further in the code amendments at a future meeting.

PUBLIC COMMENT

A. Michael Doran of Oregon City spoke about there are other alternative ideas for getting roads built. Neighbors are concerned about traffic on Holcomb and Redland Rd, about fires and getting people out of these areas. Infrastructure should be an emphasis.

B. Garrett Stephenson of Portland spoke about the questions the commissioners are wrestling with have to do with Development constraints versus what the Concept Plan requires. There are so many competing priorities which makes it difficult for development. Recommends a sit-down with ICON to talk about the detailed engineering work that they have done already. Secondly, he spoke about the practicality of code and not having abstract code which is difficult to meet.

DISCUSSION cont.

3. Park Place Concept Plan Code Refinement

Planning Manager Pete Walter continued to outline the proposed code amendments for Chapters 17.04 – Definitions, 17.10 – Medium Density Residential Districts and 17.21 – Residential Design. Chapter 17.21 will be continued at the next meeting.

COMMUNICATIONS

Reminder about the Volunteer event in July 30 at Pioneer Community Center, Remembe RSVP and nominate fellow volunteers.

Next meeting will be June 24. John Lewis will present infrastructure and how development is programmed into that, and then additional work on the PPCP revisions.

ADJOURNMENT

Chair Stoll adjourned the meeting at 10:00 p.m.

CITY OF OREGON CITY

Staff Report

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

To: Planning Commission **Agenda Date:** 06/24/2024

From: Aquilla Hurd-Ravich, Community Development Director

SUBJECT:

Presentation about growth assumptions in infrastructure master plans

STAFF RECOMMENDATION:

This presentation was identified as a need on the Planning Commission Work Plan. There is no action or decision needed.

EXECUTIVE SUMMARY:

As part of the Planning Commission's work plan, the Commission identified a desire to learn about growth assumptions in infrastructure master plans (i.e. water, sanitary sewer, stormwater, and transportation). There was also a desire to revisit how infrastructure was addressed in the middle housing code revisions. Staff has invited John Lewis, Public Works Director and Christina Robertson-Gardiner, Senior Planner to give an overview of these matters.

BACKGROUND:

Infrastructure master plans include: Stormwater, Sanitary Sewer, Water, and Transportation and can be found on the City's website. When each plan is completed, it is adopted as an ancillary document to the Oregon City Comprehensive Plan. Each master plan makes assumptions about the future in order to plan for a system that provides services over certain time horizon. Below are excerpts from each master plan to give a very brief and high-level description of each document.

Stormwater Master Plan excerpt:

> The City of Oregon City (City) developed this citywide Stormwater Master Plan (Master Plan) to guide stormwater-related priorities and capital improvement projects (CIPs) over the next 10 to 15 years. The City is currently managing more than 174 miles of stormwater infrastructure, including significant areas of aging systems. At the same time, development rates and projections indicate that the stormwater system will require continued expansion to accommodate future growth. The City's previous

Drainage Master Plan was completed in 1988 and is no longer relevant following nearly 30 years of development across the city. The City needs a proactive plan to address immediate capacity needs, replace aging infrastructure, and provide regional solutions to larger flooding and water quality challenges. The updated CIP list and selected programmatic approaches included in this Master Plan will facilitate a prioritization of the City's resources and support future resource and financial planning.

Sanitary Sewer Master Plan excerpt:

The City of Oregon City (City) provides sanitary sewer collection services to nearly 33,000 people spread across an area of approximately 9.3 square miles. Current users of the sanitary sewer collection system total over 10,400 total connections, including 9,740 residential, approximately 520 commercial, and 130 industrial. The City owns the following infrastructure: over 148 miles of gravity pipelines, ranging in size from approximately 2 to 36 inches in diameter; 3,700 manholes; 12 (major) pumping stations; and 6 miles of sanitary force mains. A majority of the sewer system was built after 1980 with much of the sewer pipes being constructed of poly-vinyl chloride. The City commissioned this Sanitary Sewer Master Plan (SSMP) to provide guidance on capital improvement projects for City projects as required to convey the existing and future wastewater flows to the TriCity Sewer District (TCSD) trunks and interceptors TCSD and eventually to the Tri-City Water Pollution Control Plant. The City's buildout population is expected to reach 52,500 by the year 2035, with most of the growth occurring around the fringes of the existing city limits.

Water Master Plan excerpt:

In 2012, the City of Oregon City (City) adopted the Water Distribution System Master Plan (2012 WDSMP) prepared by West Yost Associates, an ancillary document to the City's Comprehensive Plan and the Public Facilities Plan for the City's water distribution system as required by Oregon Administrative Rule (OAR) Chapter 660, Division 11, Public Facilities Planning. The 2012 WDSMP includes the Capital Improvement Program (CIP) which consists of a list of prioritized water distribution system projects and estimated costs were based on 2009 dollars. The CIP is a blueprint for forecasting capital expenditures and is one of the most important means of meeting the City's obligation towards community development and financial public facilities planning.

This document [2021 update] is an amendment to the 2012 WDSMP, developed primarily to provide an updated CIP in current dollars for implementation over a 20-year time frame, through 2040. In order to prepare a comprehensive update, elements of the 2012 WDSMP were either retained as the basis for updated analysis, revised and updated to current conditions, or replaced in their entirety

Transportation System Master Plan excerpt:

The TSP provides a long-term guide for City transportation investments by incorporating

the vision of the community into an equitable and efficient transportation system.

The plan evaluates the current transportation system and outlines policies and projects that are important to protecting and enhancing the quality of life in Oregon City through 2035. Plan elements can be implemented by the City, private developers, and state or federal agencies.

A TSP is required by the State of Oregon, to help integrate our plans into the statewide transportation system. The plan balances the needs of walking, bicycling, driving, transit and freight into an equitable and efficient transportation system. The TSP can also be a tool for reflecting community values and protecting what makes Oregon City a great place to call home, do business, and visit.

The analysis for the above master plans was conducted before middle housing was mandated by the State of Oregon. When middle housing code amendments were adopted in 2022, an analysis of increased densities and the effects on infrastructure systems was performed. Two memos are attached that reviewed potential impacts from middle housing on water, sanitary water, and stormwater and potential impacts on the transportation system. A key takeaway from the water, sanitary sewer, and storm water memo is that *"greenfield development that will occur in the various concept plan areas and throughout the UGB represent a much more significant impact to the City's existing infrastructure than missing middle housing development can realistically generate."* (p7). The transportation memo found *"the assumed increase in residential trips resulting from a middle housing shift is not expected to have a significant effect on the transportation system in Oregon City*" (p1).

Oregon City staff will give a high-level presentation of how growth and change are generally accounted for in the master plans and middle housing code amendments.

wallis engineering

TECHNICAL MEMORANDUM

City of Oregon City | HB 2001 Utility Analysis

WE#1524A

DATE: June 29, 2021

TO: Christina Robertson-Gardiner, AICP

CC: Dayna Webb, PE, Oregon City

FROM: Wes Wegner, PE, Wallis Engineering

RE: Water, Sanitary Sewer, and Stormwater System Implications of HB2001

PROJECT PURPOSE AND INTRODUCTION

The purpose of this memorandum is to determine the impact of increased housing density within certain residential zones on the water supply and distribution system, the sanitary sewer collection system, and the stormwater system. Wastewater treatment is provided by the Tri-City Sewer District and potable water supply is provided by the South Fork Water Board; both of which are not assessed in this memorandum.

EXECUTIVE SUMMARY

House Bill 2001 (HB2001) addresses the shortage of Division 46 Middle Housing in Medium and Large Cities. As a large city, Oregon City is required to meet the new standards set forth in the 2019 law. The additional middle housing units include duplexes, triplexes, townhouses, and cottage clusters – these types of units allow for multiple dwellings on a single Lot or Parcel. These housing types already exist within City limits, but frequently have not been allowed in many neighborhoods. The code amendments set forth to meet the requirements of HB2001 mandate that middle housing be allowed in both existing and proposed developments in low- and medium-density residential zones.

HB2001 requires Oregon City to provide "sufficient infrastructure" to meet demand increases related to allowing middle housing in residential zones. This memorandum provides an assessment of the water, sanitary sewer, and stormwater infrastructure implications of the code amendments contained in HB2001. HB2001 guidance projects a planning level infill growth of 3% and greenfield growth of 3%. The analysis in this memorandum is based on that growth rate. The City does not meet the threshold to request an Infrastructure-Based Time Extension by June 30, 2021 using the growth rate dictated in HB2001 to analyze the adequacy of infrastructure.

This memorandum identifies specific infrastructure components in the water supply and distribution, sanitary sewer collection, and stormwater conveyance systems that will likely be impacted by density increases driven by HB2001. A summary of the infrastructure impacts is described below:

- HB 2001 is not anticipated to impact water distribution pipe sizing, as fire flow capacity is not expected to change. However, the estimated 3% demand increase across low- and medium-density residential zones will create additional storage needs, particularly in the Upper Zone. The City has also identified an existing transmission deficiency between the Henrici Reservoir and the Mountainview pump station that may need to be expedited based on potential HB 2001 demand increases.
- System wide, HB 2001 is not expected to significantly impact the sanitary sewer system because the majority of peak flow is due to infiltration and inflow. However, existing components with

limited capacity, including the Parish Road Pump Station and the Settler's Point Pump Station, should be monitored. If growth is significantly greater than the assumptions in the previous master plans, additional capacity and improvements may be needed sooner than expected.

- Additional greenfield development is not expected to impact the City's stormwater system, because development will likely be greater than the threshold for onsite stormwater management requirements. Infill growth may result in increased stormwater flow if impervious surfaces are less than the onsite stormwater management threshold, and these will need to be assessed on an individual basis. However, infill represents significantly less potential development than greenfield throughout the UGB and is not anticipated to substantially increase stormwater runoff collected by the City's stormwater conveyance system.

Timelines and design criteria for Capital Improvement Projects should be reconsidered as the actual, and not assumed, impacts of HB 2001 are understood with greater reliability. No immediate deviation from current master planning recommendations is warranted as the growth rates assumed in the respective Master Plans are still assumed to be reasonably valid. It is also relevant to note that the Master Planning growth assumptions over the planning period account for significantly more growth within the Urban Growth Boundary than the HB 2001 changes will represent in the near term.

The projected 3% growth increase used to analyze the infrastructure components for this memorandum is not based on historical data, as would normally be the case for master planning level efforts. Growth rates are assumed for this analysis and there remains a high level of uncertainty regarding the actual growth impacts. Basing the need for capital improvements and expenditure on unreliable or unconfirmed data would potentially raise additional concerns and questions regarding the validity of the infrastructure master plans. Therefore, it is recommended that the City actively monitor growth and metric changes as a result of HB 2001 to determine if the assumptions made in the various infrastructure Master Plans and this memorandum are significantly flawed. The collected long-term data should be analyzed at a recommended minimum frequency of once per year. If the analyzed growth metrics resulting from HB 2001 show a significant variance from the master planning assumptions, a re-evaluation of master planning documents should be considered but not until such time that confirmed growth data can be evaluated.

As HB 2001 will allow a large spectrum of dwelling unit options within future developments, the City should also pursue procedures, as part of the HB code amendment process, to evaluate a minimum amount of missing middle housing dwelling units in any infrastructure analysis completed during the land use review process. Larger missing -middle development proposals should be analyzed for project-specific compliance.

PLANNING ASSUMPTIONS

For the purposes of the memorandum, low- and medium-density residential zones will refer to R-10, R-8, R-6, R-5, and R-3.5 zones as described in the most recent update of the City's Zoning Ordinance. Growth in these zones is anticipated to occur at a 3% density increase for infill growth and a 3% density increase for greenfield development based on a growth estimates set forth by HB 2001 guidance. Greenfield development assumptions include the three designated concept areas: Park Place, Thimble Creek, and South End.

The specific requirements of HB 2001 dictate that the City must provide "sufficient infrastructure" for this additional development. "Sufficient infrastructure" is defined as:

- Connection to a public sewer system capable of meeting established service levels.

- Connection to a public water system capable of meeting established service levels.
- Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.
- Storm drainage facilities capable of meeting established service levels for storm drainage.

This memo analyzes the City-owned water system, sanitary sewer collection system, and stormwater system to determine if they represent "sufficient infrastructure" to meet the requirements of HB 2001.

WATER DISTRIBUTION SYSTEM

Analysis of the water storage and distribution system is based on the *2012 Water Distribution System Master Plan (WDSMP)* prepared by West Yost Associates and the *2020 Amendment* prepared by MurraySmith.

The storage requirements set forth in these planning documents are as follows (*WDSMP Table 4-1*):

- Equalization – 25% of the maximum daily demand (MDD) for the given storage or pressure zone
- Emergency – 100% of the MDD for the given storage or pressure zone
- Fire flow – based on the specific use within the given storage or pressure zone
- A combination of these three components dictates the total storage required in each storage or pressure zone

Fire Flow

Capacity of the water system to accommodate future growth within the City is in large part controlled by its ability to provide adequate fire volumetric storage and fire flow to all developable areas. The fire flow requirements identified in the 2012 WDSMP for residential units are as follows: single family residential units require a sustained fire flow of 1,500 gallons per minute for two hours, while multi-family residential units require a sustained fire flow of 1,500 gallons per minute for three hours. All water service zones within the City provide, at a minimum, capacity to achieve fire flow for multi-family units. As such, the changes proposed as part of HB 2001 do not affect the required fire flow to any water zones defined in the WDSMP.

Fire flow requirements are also the dictating criteria for pipe sizing in the water distribution network, because the maximum daily demand associated with residential use is considerably less than the required fire flow capacity. Furthermore, the maximum daily demand increase associated with HB 2001 and summarized below is an even smaller proportion of the total flow capacity required for adequate fire flow. Thus, impacts to pipe sizing as evaluated in the WDSMP for future growth are not anticipated to be impacted by the additional development contemplated by HB 2001.

Maximum Daily Demand

The remaining storage requirements are dictated by the maximum daily demand within a storage or pressure zone. These values will be affected by a density increase within existing and proposed residential areas. There are currently approximately 8,850 existing residential meters within the existing low- and medium-density residential zones. An infill growth of 3% would lead to an additional 266 meters. Assuming each meter represents an equivalent dwelling unit (EDU), the infill growth results in an additional 266 EDUs.

Greenfield development will mainly occur along the outskirts of the City but within the UGB. However, there are unconstrained vacant lands throughout the City's established low- and medium density

residential zones that could potentially see development. In total, 2,396 of a total of 3,990 acres zoned for low- and medium-density residential housing have been developed as of 2008, as per the 2012 WDSMP (WDSMP Table 3-11, Table 3-14). If the remaining 1,594 acres are developed, an additional 5,508 EDUs would be created based on the normalized unit demand factor of 1050 gallons per acre per day established in the 2012 WDSMP (Table 3-12) and the 287 gallons per day per EDU established in the 2020 Amendment (Demand Summary p. 6). A 3% density increase in this greenfield development category would lead to 175 EDUs of estimated greenfield growth beyond the current WDSMP's assumptions.

In addition to infill growth and greenfield development within the UGB, growth will also occur in the three designated concept areas: Park Place, South End, and Thimble Creek. The concept areas have established estimates for total low- and medium-density development. These totals, based on the concept area planning documents, are as follows: 1,041 EDUs for Park Place, 2,299 EDUs for South End, and 1,023 EDUs for Thimble Creek. A 3% density increase across these three concept areas will result in 131 additional EDUs.

The density increases for infill development, greenfield development within the UGB, and concept area development is estimated to result in an additional 572 EDUs. This will result in a MDD increase of 0.38 million gallons per day (mgd). To meet storage requirements, 125% (equalization and emergency storage) of the MDD must be provided through either storage or pump capacity. The additional storage required to meet HB 2001-related density increases throughout the UGB is 0.48 million gallons (MG).

Impacts to Water Distribution System

As discussed above, there are not expected to be any impacts to the water distribution piping system, as pipe sizing is primarily dictated by fire flow requirements. However, there may be impacts to the water storage and transmission infrastructure.

The City is currently assessing options to address storage deficiencies in the Upper pressure zone. The 2020 WDSMP Amendment projects a 2040 storage deficiency of 6.5 million gallons across the Henrici and Boynton reservoirs (2020 WDSMP Amendment, Table 6). A new 250-gallon-per-minute pump station and 1.75-million-gallon reservoir near the Fairway Downs area (2020 WDSMP Amendment, Table 17) are intended to relieve some of this storage deficiency and serve future development in the Fairway Downs and Thimble Creek areas. The Upper pressure zone contains a large proportion of low- to medium-density residential zoning and thus might make up a disproportionate amount of the added demand from increased density. Therefore, storage projections may need to be re-evaluated to account for additional growth to HB 2001. If the proportion of growth within the Upper zone remains the same as existing, the density increase will result in an additional MDD of 0.29 mgd. This would result in an additional 0.36 MG of storage required. As the City experiences growth throughout the Upper zone, the design capacity of the new pump station and reservoir will need to be re-examined and confirmed prior to implementing the recommended improvements.

During peak summer demand, the City also experiences challenges keeping the Henrici reservoir filled and the Boynton standpipe from overflowing. Attempts to maintain reservoir levels by increasing flow from the Mountainview pump station have caused high pressure complaints from the customer base near the pump station. Construction of the Mountainview to Henrici transmission line currently in the Capital Plan (2020 WDSMP Amendment, Appendix F) will provide supply resiliency and will allow the City to utilize existing assets more effectively while addressing pressure issues experienced by customers. The first phase of this new transmission line is under construction as part of the Molalla Avenue project. However, the desired resiliency will not be experienced until the additional phases of the project are completed. The timeline for implementation of the remaining sections and completion of the full transmission line should continue to be prioritized to provide relief from summer season demand issues.

The need for this capital improvement will increase in importance if HB 2001 results in additional growth and density as projected.

SANITARY SEWER COLLECTION SYSTEM

Analysis of the sanitary sewer collection system is based on the *2014 Sanitary Sewer Master Plan* (SSMP) prepared by Brown and Caldwell. The SSMP relies on a hydraulic model developed by Brown and Caldwell, which was used to model the sanitary sewer system during a 10-year, 24-hour storm event.

Peak Flow Analysis

Without augmentation of the hydraulic model, it is not possible to make an analytical assessment of the impact of the HB 2001-related density increases. For two reasons, it is not currently recommended that the City re-model the system. As mentioned previously, the 3% growth projection is an assumed growth estimate and is not based on collected data. The additional expenditure to remodel the system based on assumed growth data does not seem warranted. Secondly, an order-of-magnitude estimate can be made using available data, and the result shows very little impact to the collection system. The order-of-magnitude estimate can be made by assuming the same increase in EDUs as established in the water distribution system analysis described above. The *SSMP* established residential base flow rate of 80 gallons per capita per day and assumed 2.5 residents per EDU (*SSMP, Table 3-2*). With an additional 572 EDUs, the base flow will increase 0.1 million gallons per day (mgd) beyond the *SSMP* projections. The *SSMP* measured a base flow rate of 4.99 million gallons per day (mgd) within the existing system (*SSMP*, *Table D-1*). This measurement is now outdated, and current and future base flow rates are assumed to be higher. The increase in density due to HB 2001 only represents an increase in the existing, 2008-measured base flow rate of 2%. This will represent an even smaller component of future base flow rates, which are not summarized in the *SSMP*.

However, sewer collection systems are designed to convey peak wet weather flow rates, which are significantly greater than base flows due to the impact of infiltration and inflow. The *SSMP* modeled the sewer collection system under peak wet weather conditions during a 10-year, 24-hour storm. The peak flow rates are projected to be 37.6 million gallons per day (mgd) (*SSMP*, *Appendix E-1*). The additional EDUs are not expected to add any additional infiltration and inflow. The increase in peak flow rates is therefore expected to be equal to the additional base flow, plus a peaking factor to account for diurnal flow variations. Assuming a peaking factor of 1.5 (typical value for similar cities), the additional EDUs will increase the peak flow by an estimated maximum of 0.15 million gallons per day (mgd). This is an increase of approximately 0.4%.

Pump Station Capacity

The *SSMP* identifies two pump stations that have existing or future capacity concerns: the Parrish Road PS and the Settler's Point PS (*SSMP Appendix B*). The Parrish Road PS has sufficient capacity for current flows but is anticipated to receive significant future flow from the South End Concept Area. The South End Concept Area has a higher chance to be impacted by HB 2001 than similar proposed developments due to the quantity of projected greenfield development into medium- to low-density housing. Density increases beyond the concept plan proposal and throughout the basin should be monitored by City to determine the need and timing for capacity upgrades to the pump station.

The Settler's Point PS experiences high peaking factors that warrant additional scrutiny. Suspected high levels of I/I inflow from the contributing basin cause flow rates to reach the existing pump station capacity, and projected future flows will further exceed the capacity. A planned I/I project to address these peaking factors has been included in the *SSMP*. Until the I/I issues are addressed, any density

increases that contribute flow to the basin should be monitored by the City and included in the annual report of middle housing projects. Additional development in the basin could push the pump station beyond its wet weather capacity. A capacity increase for the pump station may be warranted if I/I abatement projects are unable to keep up with the additional demand should significant development occur.

Impacts to Sanitary Sewer System

System wide, the increase in density due to HB 2001 is not expected to have a significant adverse impact on the sanitary sewer collection system. Base flows are not expected to increase substantially, and peak flows are impacted primarily by infiltration and inflow. The small increases in base flow and peak flow are not likely to change any conclusions of the *SSMP* regarding sewer and pump station sizing. However, on a neighborhood basis, it is possible that certain sewers will need to be upsized if growth occurs faster than assumed in the *SSMP*, and the pump stations discussed above should be monitored closely. It is recommended to revisit planning level assumptions as part of the next sanitary sewer master plan update.

It is also possible that density increases reduce the total I/I levels in the system. Home laterals are a common source of I/I, especially as they age. The infill and greenfield development associated with HB 2001 may create opportunities to repair or replace home service laterals that would not otherwise be addressed during I/I reduction projects. While this impact may amount to a negligible reduction, the new service laterals will, at the very least, not contribute additional I/I.

STORMWATER SYSTEM

All new development and redevelopment that results in 5,000 square feet of new or replaced impervious surface is required to meet the City's *2015 Stormwater Grading and Design Standards* (Standards). This threshold will apply to all greenfield development and infill development with significant impervious surface creation. Developments above the threshold will trigger the following design criteria (*Oregon City Stormwater Grading and Design Standards Chapter 4*):

- Flow Control Requirements: the post-development flows must match predevelopment peak flows between 42% of the 2-year peak flow rate up to the 10-year peak flow rate. For the purposes of this requirement, the predevelopment condition refers to the historical vegetation which existed at the site prior to urban settlement.
- General Conveyance Requirement: development within a lot or parcel shall not cause flooding of adjacent or downstream properties. Developments for which this standard applies must implement surface infiltration facilities for collected runoff according to the LID requirement.
- LID Requirement: The goal is to prioritize the use of surface infiltration facilities to the maximum extent practicable to mimic the natural stormwater runoff conditions of the pre-developed site and recharge the groundwater. This should be done with surface infiltration to the maximum extent practicable, or onsite retention and infiltration where surface infiltration options are insufficient.

Stormwater and grading design standards are applied to each development as part of the City's development process and the responsibility for compliance falls on the developer including constructing the infrastructure necessary to meet the Standards. It is important to note that greenfield development affected by HB 2001 will likely surpass impervious surface thresholds and will therefore require the developer to mitigate runoff impacts. Additionally, because much of the greenfield area in the City is no longer forested and likely already contributes flow to the City's stormwater system, the flow control

requirement applied to new developments will result in a net decrease in runoff entering the City's stormwater infrastructure up to the design storm.

Developments with small increases to impervious surfaces (less than 5,000 square feet), including infill driven by the code changes allowed by HB 2001, are only required to provide erosion prevention and sediment control *(Oregon City Stormwater Grading and Design Standards Chapter 1*). Any infill development will likely contribute flow to the City's stormwater infrastructure. However, as mentioned in the water distribution system analysis, infill represents significantly less potential development than greenfield throughout the UGB and is not anticipated to substantially increase stormwater runoff collected by the City's stormwater conveyance system. Thus, density increases allowed by the code changes will not adversely impact the City's stormwater system as they will be assessed individually based on development proposals.

CONCLUSIONS

The assumptions used to analyze the existing water, sewer, and stormwater systems are based on the long-term planning documents developed over the last decade(s) by the City and various consultant engineering firms. These documents provide a roadmap for growth, development, and capital improvement projects that relies on sound engineering judgment, historical trends, hydraulic modeling, and growth assumptions. While the documents provide an adequate illustration of a hypothetical future for Oregon City, the realities of growth and development are challenging to predict. As a point of fact, the 3% infill development and 3% greenfield development used to estimate the HB 2001-related density increases are conservative estimates chosen to provide an adequate margin for growth under the new code changes. The projections included in this memo may prove to be conservative and the actual impacts of higher-density development could vary significantly from those assessed. The greenfield development that will occur in the various concept areas and throughout the UGB represent a much more significant impact to the City's existing infrastructure than missing middle housing development can realistically generate. However, this memo should serve as an opportunity to revisit the assumptions and trends that drove development of the WDSMP/Amendment and SSMP. To reiterate, unlike master plans, the growth estimates in the memorandum are not based on any historical trends. It is recommended that the City of Oregon City monitor the impacts of missing middle housing development on a yearly basis in order to determine if any master planning assumptions warrant re-evaluation. As development and growth occurs, or fails to occur, over the next few years, the City should revisit the schedule and scope of capital improvement projects to meet demand in areas with known or predicted insufficiencies. The most critical areas are:

- Water: Capacities of the new 250-gallon-per-minute pump station and 1.75-million-gallon reservoir near the Fairway Downs area should be re-examined to meet additional demand allowed by the code amendments. Additionally, transmission waterline improvements in the Upper Zone should be prioritized and the timeline for the various phases of the project may need be re-examined to provide supply resiliency in the Upper Zone as demand increases.
- Sewer: Continuation of I/I reduction programs, particularly in the South Zone. Capacity concerns at the Parrish Road pump station and Settler's Point pump station may warrant capacity increases. Re-assess timeline of capital improvement projects for sewer upsizing as demand increases within the various basins.

These conclusions are also applicable to water and sanitary sewer system implications of the code amendments as proposed in support of the Equitable Housing project that were assessed in the 2018 memo prepared by Wallis Engineering, titled "Water and Sanitary Sewer System Implications of

Proposed Code Amendments for Equitable Housing". The code amendments included in this project encourage increased housing densities and lead to a projected 160 additional EDUs. The increased densities encouraged by this project will additionally augment the need to re-evaluate and reprioritize capital improvement projects based on development growth.

If the City maintains its commitment to the improvement schedules described in the *WDSMP/Amendment* and *SSMP* while responding dynamically to the challenges described in this memo, the City will be able to provide "sufficient infrastructure" to meet demand increases related to increased housing density.

P:\15\1524A HRB 2001 Utilities Analysis\400 Design\408 Reports\408.1 Wallis\HB2001_Water Sewer Utility Impact Memo.docx

TECHNICAL MEMORANDUM

DATE: March 17, 2022

TO: Christina Robertson-Gardiner | City of Oregon City

FROM: Kevin Chewuk and Alex Correa | DKS

SUBJECT: Oregon City Middle Housing Analysis

This memorandum documents the evaluation of potential transportation impacts for increased residential density (duplexes, triplexes, quadplexes, cottage clusters, and townhomes) that is allowed under the recent House Bill (HB) 2001, which was passed by the Oregon Legislature in 2019. The allowance of the denser housing type, called middle housing, could cause an increase in the trip generation in Oregon City during the p.m. peak hour as it allows a higher number of housing units per acre than what is currently allowable. Therefore, this memorandum will compare trip generation estimates based on previous land use assumptions to trip generation estimates based on denser middle housing allowed under HB 2001 to estimate the impacts, if any, to Oregon City streets and intersections. The trip generation representing the allowance of middle housing reported in this memorandum is conceptual as it is being used to estimate the extent of potential impacts to streets in the City.

Even though HB 2001 does not require cities to show compliance with the Transportation Planning Rule (TPR), Oregon City chose to pursue additional analysis, through this memo, to ensure that their adopted plans are sufficient and can account for the potential increase in units in the Low and Medium Density Dwelling Districts.

SUMMARY OF FINDINGS

The assumed increase in residential trips resulting from a middle housing shift is not expected to have a significant effect on the transportation system in Oregon City. A reasonable worst-case scenario assuming the addition of middle housing would result in just 170 additional p.m. peak hour trips when compared to the TSP horizon year analysis in 2035. This middle housing shift will occur gradually over time and will be dispersed throughout the UGB, so no intersection will experience all the added trips. The findings of the 2035 TSP will not change because of the middle housing shift and there is no anticipated need to add projects to the TSP as a result. Middle housing built on lots created through the land use process will continue to be analyzed as part of development review and a proposal's Transportation Impact Analysis (TIA).

CURRENT AND FUTURE HOUSEHOLDS

Error! Reference source not found. shows that in 2021, Oregon City had 14,778 households within its Urban Growth Boundary (UGB). The current Oregon City Transportation System Plan (TSP) includes a horizon year of 2035 and plans for an additional 6,207 households within the Oregon City UGB, for a total of 20,985 households by 2035[1]. A more recent housing needs analysis completed by the City also projects housing needs through 2041[2]. This study estimates the need for an additional 1,228 households within the Oregon City UGB beyond the TSP horizon year (or an additional 7,435 households between 2021 and 2041), for a total of 22,213 households by 2041. Because the TSP horizon year is 2035, the potential transportation impacts for the increased residential density will be assessed against that.

TABLE 1: HOUSEHOLDS IN THE OREGON CITY UGB

YEAR	HOUSEHOLDS	HOUSEHOLD CHANGE (FROM 2021)
2021	14,778 *	-
2035	20,985 **	+6,207
2041	22,213 *	+7,435

Source: * Oregon City Housing Needs Analysis. December 2021.

** Oregon City TSP. Adopted 2013.

EXISTING HOUSING TYPES

As shown in Table 2, the households in 2021 were composed of about 73 percent single-family detached units, 8 percent single-family attached units, 6 percent in duplexes, triplexes, and quadplexes, and 13 percent in multi-family housing with 5 or more units.

[1] Oregon City Transportation System Plan. Appendix E. Travel Demand Model Assumptions. DKS Associates. Note the TSP estimate for household growth has been adjusted from the current 2021 household total; the TSP included a base year of 2010 with 13,022 households and estimated total growth of 7,963 households through the horizon year of 2035.

[2] Oregon City Housing Needs Analysis. December 2021. ECONorthwest.

TABLE 2: OREGON CITY HOUSEHOLDS BY HOUSING TYPE (2021)

HOUSING TYPE	EXISTING HOUSEHOLDS (2021) *	SHARE **
Single-Family Detached Units	10,788	73%
Single-Family Attached Units	1,182	8%
Duplexes, Triplexes, and Quadplexes	887	6%
Multi-family (5 or more units)	1,921	13%
Total	**14,778**	**100%**

Source: * Oregon City Housing Needs Analysis. December 2021.

** 2015-2019 American Community Survey.

HOUSING TYPE SHIFTS

Based on HB 2001 guidance from the Oregon Department of Land Development and Conservation (DLCD), a 3 percent increase in housing capacity was assumed in the UGB resulting from zoning code changes to comply with HB 2001[3]. This shift was assumed to occur via 3 percent of existing single-family detached units being replaced with middle housing, and 3 percent of the future housing unit growth being constructed as middle housing. For the purposes of estimating a reasonable worst-case scenario, the middle housing was all assumed to be constructed as quadplexes, meaning an existing or would-be single-family detached unit replaced with 4 attached units.

Table 3 reports the assumed reasonable maximum potential increase in middle housing units and subsequent decrease in single-family housing units for TSP horizon future year 2035Table 2. As shown, an additional 382 housing units are expected because of middle housing between 2021 and 2035, with 81 existing single-family units assumed to be replaced with infill of 81 quadplexes totaling about 324 units, and 47 would-be new single-family units constructed instead as 47 new quadplexes totaling about 186 units. This middle housing infill and new development will be dispersed throughout UGB and will occur gradually over time through 2035.

[3] HB 2001 Interpretation and Implementation. Oregon DLCD.

TABLE 3: ASSUMED OREGON CITY UGB HOUSING TYPE SHIFTS

		MIDDLE HOUSING CAPACITY INCREASE (+3%)	SINGLE FAMILY HOUSING STOCK DECREASE (-3%) *	NET CHANGE IN HOUSEHOLDS
Existing Single-Family Housing (2021)	10,788 units	+324 units	-81 units	+243 units
New Housing Growth (2021 to 2035)	+6,207 units	+186 units	-47 units	+139 units
Total Change through 2035		**+510 units**	**-128 units**	**+382 units**

Note: * For the purposes of estimating a reasonable worst-case scenario, the single-family unit shift to middle housing was all assumed to occur as quadplexes, meaning 1 single-family detached unit replaced with 4 attached units.

TRIP GENERATION

Trip generation is the method used to estimate the number of vehicles that are added to the roadway network by proposed new development during a specified period (i.e., a.m. or p.m. peak). The a.m. and p.m. peak periods are typically when the highest hourly volume of traffic occurs during an average weekday and are commonly required analysis periods in Transportation Impact Analyses (TIAs) for new developments in the City. Trip generation rates used for single-family and middle housing trips are taken from the Trip Generation Manual[4].

The estimated net increase in trip generation as a result of the middle housing shift is shown in Table 4. As shown, if the estimates for conversion of single-family housing to middle housing occur and all those units are built, an additional 170 p.m. peak hour trips would be generated in the Oregon City UGB. These trips will be disbursed throughout the UGB, so no intersection will experience all the added trips.

TABLE 4: POTENTIAL PM PEAK HOUR TRIP GENERATION INCREASE (2035)

	HOUSING UNIT CHANGE	PM PEAK HOUR VEHICLE TRIP CHANGE
Single-Family Housing (Decrease)	-128	-120
Middle Housing (Increase)	+510	+291
Total Change through 2035	**+382**	**+170**

[4] Trip Generation Manual, 11th Edition, Institute of Transportation Engineers (ITE), 2021. Average rates for ITE Land Use 210 (single-family detached housing) and ITE Land Use 215 (single-family attached housing).

CONCLUSION

The assumed increase in residential trips shown in Table 4 is not expected to have a significant effect on intersections in the UGB. A reasonable worst-case scenario assuming the addition of middle housing would result in just 170 additional p.m. peak hour trips when compared to the TSP horizon year analysis in 2035. These trips are distributed throughout the UGB, so no intersection will experience all the added trips and will not have a significant effect on the transportation system. The findings of the 2035 TSP will not change because of the middle housing shift, including the established citywide circulation needs.

New subdivisions will continue to be analyzed as part of development review and a proposal's Transportation Impact Analysis (TIA) to establish localized needs (e.g., safe access, connectivity). It is recommended that the TIA guidelines for new development be revised to include an additional scenario that allows for a reasonable worst-case development scenario to be analyzed. This scenario would assume a potential increase in housing capacity would occur from a middle housing shift to a level beyond the proposed development. It would be used to provide clarity for identifying transportation system needs resulting from the potential middle housing development that may occur from the zoning code changes.

CITY OF OREGON CITY

Staff Report

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

To: Planning Commission **Agenda Date:** 06/24/2024

From: Aquilla Hurd-Ravich, Community Development Director
Pete Walter, Planning Manager

SUBJECT:

Park Place Concept Plan Code Refinement

STAFF RECOMMENDATION:

At this time, staff recommends Planning Commission consider the information and presentation and provide direction as staff proceeds with code refinements.

EXECUTIVE SUMMARY:

The Park Place Concept Plan (PPCP) was adopted through Legislative File 08-01 in 2008. At the time the Oregon City Municipal Code was amended to implement the principles of the concept plan. Since then, land use regulations in the State of Oregon have changed and the City reviewed its first land use application in the concept plan area. That review illuminated some of the areas in code that need refining 16 years after the initial adoption of the concept plan. At this meeting, staff will present an overview of the work to date, the process moving forward to adopt code refinements, and three chapters of code with proposed amendments.

BACKGROUND:

At the June 10 meeting, staff continued presenting code revisions to the following chapters of the OCMC, but did not complete presenting on Chapter 17.21.
This evening we will cover the following code chapters:

- Continue with Chapter 17.21 – Park Place Concept Plan Residential Design and Diversity Standards.
- Chapter 17.24 NC Neighborhood Commercial District
- Chapter 17.65 – Master Plans and Planned Unit Developments

When the PPCP was adopted in 2008, the Oregon City Municipal Code (OCMC) was amended to implement the concept plan. The Park Place Concept Plan was implemented through Legislative File 08-01 which updated, revised, and added new

code sections to OCMC, and adopted Comprehensive Plan designations for areas within the concept plan. Land in the North Village which has annexed to the City has a zoning designation of Neighborhood Commercial (NC), R-5 (Medium Density Residential), and R-10 (Low Density Residential). In 2008, OCMC 17.10 was amended to add a new R-5 zone district to allow for greater diversity of housing types. The existing Neighborhood Commercial zone district in OCMC 17.24 was refined to increase the number of permitted uses, restrict the size of stand-alone commercial buildings, and allow live-work units. Multi-family is allowed in Neighborhood Commercial, but it cannot be more than 50% of the building square footage on-site.

The PPCP was built principally on 11 Key elements:

1. Two primary north-south connections between Holcomb Boulevard and Redland Road (Swan Avenue and Holly Lane)
2. Two distinct mixed-use neighborhoods (North Village and South Village) that accommodate 1,459 new dwelling units
3. Neighborhood-oriented commercial nodes that integrate commercial land uses, residential land use, and public open space.
4. An area for a new civic institution, such as a library or community center
5. A mix of housing types and ranges of affordability
6. An extensive system of off-street and on-street trails and pedestrian/bicycle connections
7. Innovative, “green” on-site stormwater treatment methods
8. Protected sensitive areas, including drainages and steep slopes
9. Streets and buildings oriented for solar access
10. The use of green edges to define neighborhoods and buffer developments
11. Integration of parks and open spaces into existing and future neighborhoods

In 2008 some of these key elements were codified, some were implemented through design standards, while others were envisioned to be implemented by future zone changes. Following the adoption of the PPCP, multiple infrastructure master plans were updated and adopted and these plans accounted for growth and new development in Park Place for example the 2013 Transportation System Plan and the 2020 Stormwater and Grading Design Standards.

However, since 2008 the land use paradigm in Oregon has shifted and multiple new regulations apply. For example, HB 2001 Middle Housing mandates were adopted by the City in 2022 allowing duplex, triplex, quadplex, townhomes, and cottage clusters on lots in single family zones. In 2017 Senate Bill 1051 changed the application of clear and objectives standards to apply to all housing development and not just needed housing. Discretionary standards are no longer applicable to any housing development regardless of the classification of “needed” housing. *(Needed housing means housing by affordability level, as described in ORS 184.453 (4), type, characteristics and location that is necessary to accommodate the city’s allocated housing need over the 20-year planning period in effect when the city’s housing capacity is determined. 197A.018).* Most recently, in 2024 SB 1537 requires jurisdictions to grant “mandatory adjustments” if a development meets certain thresholds.

Taking most of these changes into account since 2008, staff has endeavored to propose revised code that will more completely implement the 11 Key Elements while remaining clear and objective.

Staff has identified multiple OCMC chapters, sections, and one change to the TSP that could be revised through this code refinement process:

1. 17.04 Definitions
2. 17.10 Medium Density Residential Districts (R-5 and R-3.5)
3. 17.21 Residential Standards- Park Place Concept Plan
4. 17.24 Neighborhood Commercial
5. 17.62 Site Plan and Design Review
6. 16.08 Land Divisions
7. 16.12.026 Street Standards- Alleys
8. 17.65 Master Plans
9. Transportation System Plan- Trails and multimodal connectivity

Process Overview

This process is a typical legislative process. The Planning Commission will review proposed code revisions. Staff will bring the proposals back to City Commission for a check-in before beginning the legislative hearings. Additionally, we will make a presentation to the Citizen Involvement Committee and Park Place Neighborhood Association prior to beginning legislative hearings. At the conclusion of the code review, staff will return to the Planning Commission with amended chapters that reflect your feedback and direction.

- Planning Commission Code Review: Spring/Summer
- City Commission Work Session check-in: Summer
- Citizen Involvement Committee and PPNA Presentations: Summer
- Planning Commission legislative hearings: Summer/Fall
- City Commission adoption hearings: Fall 2024

Next Steps

Staff will present the following chapters at the July 8, 2024 meeting:

- Chapter 17.08 – Low Density Residential District
- Section 16.12.026 – Street Standards – Alleys
- Chapter 17.62 – Site Plan and Design Review
  - New section - additional public park and open space requirements for PPCP

Chapter 17.21 RESIDENTIAL STANDARDS—PARK PLACE CONCEPT PLAN AREA

17.21.010 Purpose.

The ~~intent of this chapter is~~standards of this section are intended to ensure new residential development implements the goals and policies of the Park Place Concept Plan area, promote high-quality residential development and construction; protect property values; encourage visual variety and architectural compatibility; ensure diversity of housing types, and promote an integrated character in the Park Place Concept Plan area. Specifically, the standards shall:

A. Provide clear and objectives standards for residential development.

B. Promote new residential developments that are distinctive, have character, and relate and connect to established neighborhoods in Oregon City;

C. Provide variety and visual interest in the exterior design of residential buildings;

D. Provide for a variety of lot sizes and housing types for a range of households and age groups;

E. Enhance the residential streetscape and diminish the prominence of garages and parking areas;

F. Enhance public safety by preventing garages from obscuring main entrances or blocking views of the street from inside residences; and

G. Improve the compatibility of new residential development with the residential character of surrounding neighborhoods. ~~and the historic architectural styles of Oregon City.~~

~~Appropriate architectural styles include: Western Farmhouse/Vernacular, Bungalow, Queen Anne Vernacular and Foursquare. The 2006 Historic Review Board's Design Guidelines for New Construction include additional architectural descriptions of historic single-family structures in Oregon City.~~

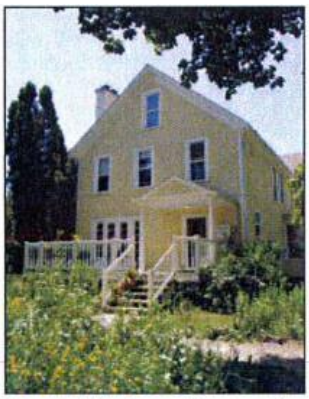
Explanation:

The purpose statement in section 17.21.010 is amended to remove the refences to discretionary historical review guidelines and architectural styles, and to clarify that the chapter provides clear and objective standards for review of residential design as required by State Law~~.~~

PPCP Key Element:

5. A mix of housing types and ranges of affordability.

The purpose statement ties the code standards to the adopted PPCP, which is part of the city's adopted Comprehensive Plan, and the goals of the concept plan to provide diverse and affordable housing with good design.



Western Farmhouse/Vernacular

Bungalow (Craftsman)

Foursquare

Queen Anne Vernacular

~~(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)~~

Explanation:

As stated before, this revision removes the references to, as well as the pictures of architectural styles subject to discretionary interpretation to clarify that the chapter provides clear and objective standards for review of residential design as required by State Law.

PPCP Key Element:

5. A mix of housing types and ranges of affordability.

The purpose statement ties the code standards to the adopted PPCP, which is part of the city's adopted Comprehensive Plan, and the goals of the concept plan to provide diverse and affordable housing with good design.

17.21.020 Applicability.

A. These standards apply to all new residential construction within the Medium and Low Density Residential Districts within the adopted boundaries of the Park Place Concept Plan area. Additions of more than 50% of the existing gross floor area for homes existing prior to the adoption of this chapter in the Park Place Concept Plan area are subject to this section.

B. These standards are applicable in addition to the following residential design standards. In the event of conflicting standards, this Chapter shall control.

1. Single-family detached and duplex residential units shall comply with the applicable standards in OCMC Chapter 17.14.

2. Townhouses, triplexes, quadplexes, and cottage clusters in any zone shall comply with the applicable standards in OCMC Chapter 17.16.

3. Accessory dwelling units, live/work dwellings, and manufactured home parks shall comply with the applicable standards in OCMC Chapter 17.20.

C. These standards do not apply to multi-family development, live-work units, or mixed-use development.

~~A. This chapter applies to all new detached single-family residential units, duplexes, triplexes, quadplexes, townhouses, accessory dwelling units, and cottage clusters located within the Park Place Concept Plan areas. Additions to homes existing prior to the adoption of this chapter in a concept plan area or new residences outside of a concept plan area may choose review under this section or OCMC 17.14, OCMC 17.16, or OCMC 17.20 as applicable.~~

~~Residential plans that conform to the following standards may be approved as a Type I Decision. Residential plans that require approval of an exemption shall be processed as a Type II Land Use decision at time of land division or building permit application.~~

Explanation:

Clarifies that the standards of Chapter 17.21 are in addition to existing residential design standards. Housing designs are typically reviewed at the time of building permit review. If there is a conflict, the more restrictive or higher standard prevails. This supports architectural integrity and variety in residential neighborhoods.

PPCP Key Element:

5. A mix of housing types and ranges of affordability.

17.21.025 Modifications that will better meet design standards.

A. Residential plans that conform to the following standards may be approved as a Type I Decision or with a building permit application. Residential plans that require approval of an exemption or modification may be approved as a Type II Land Use decision at time of land division, or through a Type II modification ~~to~~ prior to building permit application.

B. Modifications that will better meet design standards. An applicant may propose modified residential designs and housing mixes that differ from these standards through a Type II review process at the time of land division or building permit application. Modifications that are denied through Type II design review may be requested as a Planning Commission variance process pursuant to Chapter 17.60, or as a master plan adjustment pursuant to OCMC 17.65.070, if applicable.

1. Criteria for modification to the standards:

i. The modification will result in a development that better meets the applicable design standard or housing diversity standard.

ii. The modification or modifications are consistent with the purpose and intent of this Chapter as discussed in section 17.21.010 above.

Explanation:

This section clarifies and relocates to one place in the chapter the process by which an applicant may seek modifications to the design standards. Previously the process for modifications was restated in multiple subsections which was unnecessary and redundant. An applicant has the option of requesting the modification(s) at the time of land division or prior to a building permit, but in either case, the process requires a Type II decision with public notice and comment, and which may be appealed by persons with standing.

PPCP Key Element:

N/A. This revision is for process clarification only. It does not affect any standards.

17.21.030 - -Roof design.

A. Primary roofs shall be pitched at a minimum ratio of five-twelfths, except for non-gabled dormers, covered porches, or secondary roofs and masses.

B. Flat roofs and shed roofs are not permitted except on accessory structures and for carports.

CB. Solar Access. Primary roof designs shall also comply with the solar access requirements of section 17.21.100 - Solar Access Standards.

~~Exemption: An exemption from the roof standard of subsection A above may be approved by the community development director if the resulting plan is consistent with the architectural style.~~

Explanation:

Various roof forms (including flat, hipped, gambrel, etc.) are permitted for single-family detached and duplex structures throughout Oregon City pursuant to OCMC Chapter 17.20. Requiring a traditional roof and minimum roof pitch for principal dwellings within the Park Place Concept Plan area promotes compatibility of new residential construction with existing architectural styles.

The exemption section will be deleted and replaced by subsection 17.21.025 – *Review Process* above.

17.21.040 - ~~Modulation and m~~Massing.

New residences shall have a massing ~~and footprint~~ that is compatible with the envisioned pedestrian friendly neighborhoods of the concept plan area which is accomplished by regulating the overall building footprint.

A. Residences with footprints over one thousand two hundred square feet (not including porch or deck areas) shall provide for secondary massing (such as cross gabled wings or sunroom/kitchen/dining room extensions) under separate roof-lines. Each secondary mass shall not have a footprint larger than six hundred square feet.

Explanation:

Removed discretionary language from the previous requirements.

17.21.050 – Porches and entries.

A. Each residence shall contain a front porch with a front door that faces the street that is a minimum of twenty-four inches above average grade with skirting and is at least eighty square feet with no dimension under six feet with the wider dimension parallel to the street. Porch railings are required. The front porch shall be covered.

~~B. Exemption: Residence styles that do not contain a front porch or require a reduction in the size of the porch or its location may request an exemption from the community development director from subsection A above, if another type of pronounced entryway is provided. Pronounced entrances may include a rounded front door, canopy or other articulated entrances, columns, and/or other similar features provided they are compatible with the architectural style of the house. A reduced porch may be allowed if there is sufficient architectural or topographical reason to reduce the size of the porch.~~

~~C~~B. All subdivisions shall have at least seventy-five percent of the housing utilize front porches as approved under subsection A above.

~~D~~C. Each residence shall have a separate delineated pedestrian connection from the front door of the unit to the sidewalk that is a minimum width of three feet. The pedestrian connection shall be separate from a driveway.

17.21.060 - Architectural details.

A. Residences shall contain architectural details. Each of the types of details listed below are worth one point unless otherwise noted. Residences ~~must~~shall achieve the equivalent of five points worth of architectural details.

1. ~~A.~~ Stonework detailing on columns or across foundation.
2. ~~B.~~ Brick or stonework covering more than ten percent of the front facade.
3. ~~C.~~ Wood, cladded wood, or fiberglass windows on all four elevations of the building (two points).
4. ~~D.~~ Decorative roofline elements (choose two): Roof brackets, rake board at edge of all roof and porch, eaves, roof eaves that extend at least eighteen inches.
5. ~~E.~~ Decorative siding elements (choose two): Barge board/frieze boards (minimum eight inches) under eaves, waterboard at foundation line and between floors (minimum six inches), corner board at all corners.
6. ~~F.~~ Decorative porch elements (choose one): Scrolls, brackets, or wrapped and finished porch railings and posts.
7. ~~G.~~ Decorative shingle design covering ten percent of the facade.

17.21.070 Approved siding materials.

A. Approved siding materials include the following.

1. ~~A.~~ Brick.
2. ~~B.~~ Basalt stone or basalt veneer.
3. ~~C.~~ Narrow horizontal wood or composite siding (five inches wide reveal or less); ~~wider siding will be considered where there is a historic precedent~~. Both ~~s~~smooth siding or textured siding is acceptable but shall not be permitted together on the same building.
4. ~~D.~~ Board and batten siding (wood or composite).

5. ~~E. Exemption: Other materials may be approved by the community development director if they are consistent with the quality of the approved siding materials and have historic precedence in Oregon City.~~

Explanation:

Removed discretionary language from the previous requirements.

17.21.080 - Windows.

~~A. All windows on all elevations must be recessed at least two inches from the facade and incorporate window trim at least four inches in width.~~ All elevations ~~must~~shall provide an average of one window every fifteen feet of linear elevation on each floor of each elevation. If shutters are used, they shall be half of the window opening each such that the entire window opening is covered when they are closed.

~~B. Exemption: An exemption may be granted by the community development director from the window standard of subsection A above if the proposed windows provide for some amount recess depth and the side elevation is consistent architecturally with the front elevation of the house in window prominence.~~

~~C. All subdivisions shall have at least seventy-five percent of the housing meet the standards under subsection A above.~~

~~(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)~~

Explanation:

Removed discretionary language from the previous requirements for windows.

~~17.21.090~~ 17.21.090 – Garage~~s~~ Orientation and A~~a~~ccessory ~~s~~Structures.

A. ~~A.~~ Garages and carports are not a requirement, however, the orientation of these structures is subject to the following standards. Garages ~~must~~ shall be detached, side entry or rear entry. For side entry garages: The garage area shall not be located in front of the living area.

B. Modification to Garage Orientation standard permitted for existing topographic or geologic conditions. Pursuant to OCMC 16.12.033, an applicant may request modification of the alley requirement due to the presence of the following overlay districts if the decision maker determines that the requested modification would minimize disturbance to sensitive natural resources and steeply sloped or unstable sites in the following situations:

1. New residential development located wholly or partially within the Natural Resources Overlay District regulated by OCMC 17.49; and

2. New residential development located wholly or partially within the Geologic Hazards Overlay District regulated by OCMC 17.44.~~T~~4.

3. Mitigation. Any modification that allows a front-loaded garage onto a public street shall comply with the applicable standards in OCMC 17.20.

4. Front loaded garages are not permitted on any road designated as a collector, neighborhood collector, minor arterial or arterial street. Front loaded garages shall not be proposed when abutting a public street that abuts a public park.

Explanation:

This revision creates a new, clear and objective standard to offer a modification to the garage orientation standard within sensitive NROD habitat areas and geologic hazards overlay districts.

Detached, side oriented or rear loaded garages may not practicable in these areas due to the additional grading, cut and fill and impervious surfaces that may be required and the need to minimize disturbance to sensitive natural resources and steeply sloped or unstable sites within these overlay districts.

This modification would be allowed as of this public improvement standard as part of a land division or other land use application.

PPCP Key Element:

8. Protected sensitive areas, including drainages and steep slopes.

17.21.095 - Accessory Structures

A. Detached Accessory structures over 200 square feet in size shall be designed consistent with the primary residence as follows:

1. Exterior siding materials visible from the street shall match the principal exterior siding material and reveal on the principal dwelling.

2. All windows shall include the same trim type and size as those on the principal dwelling unit, provided that the size of the trim shall be a minimum of two inches in width.

3. Eaves shall project from the building walls at the same distance as the eaves on the principal dwelling unit.

. ~~Consistency of design includes the use of similar roofing, siding, and trim. For the purposes of this section, detached garages may be connected by a breezeway but consequently, will be subject to the setbacks of the underlying zone.~~

Explanation:

This set of standards for larger accessory structures includes clear and objective criteria from the city's existing standards for Accessory Dwelling Units. This standard would not allow pre-ordered engineered steel buildings, aka "pole barns", which are permitted elsewhere in the city.

17.21.100 - Solar Access Standards

A. Siting Requirements: All residential structures shall be designed and constructed in compliance with the following solar siting requirements:

B. All new residential units shall have a roof surface that meets all the following criteria:

1. Is oriented within 30 degrees of a true east-west direction;

2. Is not sloped towards true north; and

3. Includes a minimum of 100 square feet of un-shaded roof area per unit.

Explanation:

Formerly, supplemental zoning regulations in the City's code (OCMC Section 17.54.070) established solar access standards (maximum shade point heights and maximum shade height on solar features) for single family residential development. The code was incredibly complex to implement, monitor and enforce. Instead, if solar access standards are desired to maximize passive solar heating and simplify solar array placement for homes and to reinforce the street layout proposed for Park Place, it is recommended that solar orientation standards be simpler. The sample solar orientation regulation language is adapted from the Oregon Department of Energy and Boulder, Colorado. Staff will be reviewing home designs for compliance with this standard at the time of building permit review.

17.21.105 – Park Place Concept Plan Housing Diversity Standards

A. Purpose

1. To promote a more diverse community through the provision of a variety of housing types.

2. To discourage developments that are dominated by a single type of home or dwelling unit with a narrow range of price points and densities.

3. To encourage "neighborhood-oriented" residential developments that incorporate a variety of housing types, including duplex, tri-plex, quad-plex, cottage clusters, live-work units, townhomes, apartments, and single-family dwelling units in a range of sizes.

B. Applicability of Standards:

The standards of this section shall not apply to:

1. Residential developments that have been approved with modifications per subsection 17.21.025.(B).

2. Any housing units proposed within the Neighborhood Commercial zone (NC).

C. Residential development parcels, including parcels part of a phased development, shall provide a minimum mix of housing, based on the size of the development as required in Table 17.21.105:

TABLE 17.21.105:

Minimum Required Housing Diversity within the Park Place Concept Plan Area	
Net Developable Area*	Required Minimum % of Middle Housing**
0—2 Acres	1 housing type
2 to 10 Acres	15%
10 to 30 Acres	20%
30 Acres+	25%

*The Development Site is based on the Net Developable Area and may comprise multiple parcels or properties. See Definition in OCMC 17.04.810, "Net developable area".

**See Definition in OCMC 17.04.752, "Middle housing" means duplexes, triplexes, quadplexes, townhouses and cottage clusters.

Explanation:

Staff reviewed codes that mandate housing diversity from Salem, Wilsonville, and other cities. These codes vary widely in their complexity and ease of administration. Wilsonville has a long history or fairly complex PUD and design review approval for large scape residential subdivisions that is nothing like Oregon City. The above table is like what the City of Salem has used. Rather than dictate various housing types, it requires a minimum percentage of all units be middle housing and leaves the decision of what kind of middle housing to the developer or builder. Staff feels that this provides the right balance of regulation with the realities of market driven housing development.

PPCP Key Elements:

5. A mix of housing types and ranges of affordability.

(NOTE – THE FOLLOWING IS NOT PROPOSED CODE LANGUAGE)

POSSIBLE ALTERNATIVE HOUSING DIVERSITY IDEAS:

1. Adopt Vertical Housing Development Zone into the code, like Milwaukie: https://ecode360.com/43855435 (Milwaukie's is in Title 3 – Finance).

2. Develop a set of pre-approved housing designs which have reduced review fees if used by builders.

3. Incentivize Middle Housing through scaled SDCs.

Chapter 17.24 NC NEIGHBORHOOD COMMERCIAL DISTRICT

17.24.010 Designated.

The neighborhood commercial district is designed for small-scale commercial and mixed-uses designed to serve a convenience need for residents in the surrounding low-density neighborhood. Land uses consist of small and moderate sized retail, service, office, multi-family residential uses or similar. This district may be applied where it is appropriate to reduce reliance on the automobile for the provision of routine retail and service amenities, and to promote walking and bicycling within comfortable distances of adjacent residential infill neighborhoods, such as within the Park Place and South End Concept Plan areas. Approval of a site plan and design review application pursuant to OCMC 17.62 is required.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009; Ord. No. 13-1017, § 1(Exh. 1), 4-16-2014; Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019)

17.24.020 Permitted uses—NC.

The following uses are permitted within the neighborhood commercial district:

A. Any use permitted in the mixed-use corridor, provided the maximum footprint for a stand-alone building with a single store or multiple buildings with the same business does not exceed ten thousand square feet, unless otherwise restricted in this chapter;

B. Grocery stores, provided the maximum footprint for a stand-alone building with a single store or multiple buildings with the same business does not exceed forty thousand square feet;

C. Live/work dwellings;

D. Outdoor sales that are ancillary to a permitted use on the same or abutting property under the same ownership.

E. Additional uses permitted within the Thimble Creek Concept Plan area per OCMC 17.24.50.(C).

F. Additional uses permitted within the Park Place Concept Plan area per OCMC 17.24.060.(C).

Explanation:

Provides a cross-reference to the reader for the additional uses permitted in these concept plans.

PPCP Key Element:

3. Neighborhood-oriented commercial nodes that integrate commercial land uses, residential land use, and public open space.

17.24.025 Conditional uses.

The following conditional uses may be permitted when approved in accordance with the process and standards contained in OCMC 17.56:

A. Any use permitted in the neighborhood commercial district that has a building footprint in excess of ten thousand square feet;

B. Emergency and ambulance services;

C. Drive-through facilities;

D. Outdoor markets that are operated before six p.m. on weekdays;

E. Public utilities and services such as pump stations and sub-stations;

F. Religious institutions;

G. Public and or private educational or training facilities;

H. Gas stations;

I. Hotels and motels, commercial lodging;

J. Veterinary clinic or pet hospital.

K. Parks, playgrounds, and playfields within the Park Place Concept Plan area.

L. Stormwater facilities within the Park Place Concept Plan area.

Explanation:

At the work session the Planning or City commission expressed the desire to conserve the limited amount of NC zoned land for commercial uses and mixed-use rather than allow the land to be taken up by public stormwater ponds or park facilities, although civic uses that foster activity and gatherings may be appropriate. Whether stormwater facilities and park uses should be a Conditional Use rather than a Prohibited Use should be a consideration. Or, perhaps storm ponds larger than a certain size could be prohibited or require conditional use. For example, a storm detention facility larger than 20,000 square feet (approximately a half-acre) could be prohibited or require conditional use approval.

PPCP Key Element:

3. Neighborhood-oriented commercial nodes that integrate commercial land uses, residential land use, and public open space.

17.24.035 Prohibited uses.

The following uses are prohibited in the NC District:

A. Distributing, wholesaling and warehousing;

B. Outdoor storage;

C. Outdoor sales that are not ancillary to a permitted use on the same or abutting property under the same ownership;

D. Hospitals;

E. Kennels;

F. Motor vehicle sales and incidental service;

G. Motor vehicle repair and service;

H. Self-service storage facilities;

I. Heavy equipment service, repair, sales, storage or rental (including but not limited to construction equipment and machinery and farming equipment);

J. Marijuana production, processing, wholesaling, research, testing, and laboratories;

~~K. Mobile food units or vendors, except with a special event permit;~~

~~L~~K. Residential use that exceeds fifty percent of the total building square footage on-site.

Explanation:

Civic uses that foster activity and gatherings, including mobile food units, may be an appropriate allowed use in the NC zone. Transitory and Non-Transitory Mobile food units are not currently permitted in any of the Mixed Use zone districts. Food carts are subject to specific site plan and design review standards under OCMC 17.54.115. Whether stormwater facilities and park use should be a Conditional Use, subject to Planning Commission review and approval, rather than a Prohibited Use should be a consideration.

PPCP Key Element:

3. Neighborhood-oriented commercial nodes that integrate commercial land uses, residential land use, and public open space.

17.24.040 Dimensional standards.

Dimensional standards in the NC district are:

A. ~~A.~~Minimum Building Height. None, however, the City encourages multi-story development designs that incorporate retail, live-work and multi-family uses subject to applicable standards.

a. Non-regulatory incentives. Applicants are encouraged to consider the vertical housing tax credit program, storefront improvement grant program and other incentives that may be available through the Economic Development Department.

Explanation:

~~.~~This type of reference to non-regulatory incentives is not typically included in a zoning chapter, however, it's inclusion here is intended to provide some guidance for applicants as a "carrot" rather than a "stick". Non-regulatory incentives may be just as effective in promoting commercial development in the area than increased height limits.

PPCP Key Element:

3. Neighborhood-oriented commercial nodes that integrate commercial land uses, residential land use, and public open space.

B. Maximum building height: Forty-five feet or three stories, whichever is less.

~~B~~C. Maximum building footprint: Ten thousand square feet.

~~C~~D. Minimum required setbacks if not abutting a residential zone: None.

~~D~~E. Minimum required interior and rear yard setbacks if abutting a residential zone: Ten feet plus one-foot additional yard setback for every one foot of building height over thirty-five feet.

~~E~~F. Maximum Allowed Setback.

1. Front yard setback: Five feet.
2. Interior yard setback: None.
3. Corner side yard setback abutting a street: ~~T~~

   (a) thirty feet;

   (b) five feet in the Thimble Creek and Park Place Concept Plan areas.~~.~~
4. Rear yard setback: None.

G. Public utility easements may supersede the minimum setback. Maximum setback may be increased per OCMC 17.62.055.D.

~~F~~H. 1. Standards for residential uses: Residential uses shall meet the minimum net density standards for the R-3.5 district, except that no minimum net density shall apply to residential uses proposed above nonresidential uses in a mixed-use configuration or to live/work dwellings. Any new lots proposed for exclusive residential use shall meet the minimum lot size and setbacks for the R-3.5 zone for the proposed residential use type.

I. Minimum required landscaping: twenty percent. Required landscaping areas may include:

a. Landscaping within a parking lot.

b. Planter boxes.

c. Eco or green roofs.

d. Paved courtyard or plaza with at least twenty-five percent of the area used for landscaping, planter boxes, and/or water features including shade trees planted at the ratio of one tree for every five hundred square feet of urban plaza area.

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

17.24.060 Additional standards for Park Place Concept Plan Area.

A. Applicability. This section applies to all development in the NC district within the Park Place Concept Plan Area.

B. Relationship of Standards. These standards apply in addition to the standards of the NC zone district within the Park Place Concept Plan area. In the event of a conflict, the standards of this section shall prevail. No Type II modification of these standards is permitted pursuant to Section 17.62.055. Applicants seeking an adjustment or modification of the applicable standards may propose a Type III variance pursuant to Chapter 17.60 – Variances.

C. Additional Permitted Uses.

1. All permitted uses per OCMC 17.24.020.A and B, are limited to a maximum footprint for a stand-alone building with a single store or multiple buildings with the same business not to exceed ten thousand square feet, unless otherwise restricted in this chapter.

2. Civic Uses. Civic uses permitted include non-profit and private uses such as art galleries, museums, indoor and outdoor music and theatre venues, childcare facilities, health and fitness clubs, clubs and lodges, mobile food units, and outdoor markets that are operated on the weekends and after six p.m. on weekdays.

E. Residential Uses. Residential uses shall be subject to the following additional standards:

1. Residential uses are permitted but shall not exceed fifty percent of the total building square footage within the Park Place Concept Plan Neighborhood Commercial Zoning District.

2. All ground-floor residential uses, except for entrances for upper-story residential uses, shall be set back a minimum of one hundred feet from the property line along Livesay Road / Main Street.

3. Ground-floor residential building square footage shall not exceed fifty percent of the ground-floor nonresidential building square footage on-site.

4. Upper-story residential uses are permitted.

5. Live/work dwellings are subject to OCMC 17.20.040.

Explanation:

The NC zone already restricts residential use to 50% of the total building square footage on site and a single commercial building is limited to 10,000 square feet. This section adds more detail to allow civic uses within the zone subject to applicable site plan and design review, but would not makes these uses obtain a conditional use permit.

PPCP Key Elements:

2. Two distinct mixed-use neighborhoods (North Village and South Village) that accommodate 1,459 new dwelling units.

3. Neighborhood-oriented commercial nodes that integrate commercial land uses, residential land use, and public open space.

4. An area for a new civic institution, such as a library or community center.

F. Site Design Standards. The standards in Section 17.62.055 shall apply to neighborhood commercial development within the Park Place Concept Plan area. Additionally, the following standards apply without modification.

1. Siting of structures. 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 line.

2. Parking. Parking areas shall be located behind the building façade that is closest to the street or~~,~~ below buildings. Parking areas shall not be located on the sides of buildings or between the street and the building façade that is closest to the street. On-street parking is permitted subject to street standards in Chapter 16.12 and may be credited toward required off-street parking pursuant to the Off-street Parking and Loading standards in Chapter 17.52.

3. Building facades and entrances. All buildings along the street frontage shall face the front most architecturally significant facade toward the street and have a functional primary building 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.

4. Pedestrian Elements. Buildings located along the Village Center main streets in Park Place (Livesay Road, Donovan Road, Swan Avenue) shall incorporate a minimum of three (3) of the following elements in the front setback area. These standards are intended to create more transparency and visual interest of buildings, particularly for pedestrians at the street level in order to encourage residents to gather and customers to relax and linger.

(a) Canopies or overhangs (5'-0" minimum depth, measured from either the face of the column or the street-facing elevation) for the entire width of the building. Canopies shall not project into public utility easements or right-of-way without obtaining proper permitting.

(b) Transom window at least 60% of façade width.

(c) Storefront frieze, horizontal sign band, or a belt course above the transom window or mezzanine level.

(d) Window planter box (minimum of one per window).

(e) Projected window sill (at least 2" from building wall plane and 12" to 24" above grade).

(f) A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of [6] feet)

(g) Sitting space (i.e., dining area, benches, garden wall or ledges between the building entrance and sidewalk) with a minimum of 16 inches in height and 30 inches in width, and located within thirty feet of the street frontage.

(h) Public art that incorporates seating (e.g., fountain, sculpture).

(i) Landscape treatments integrating arbors, low walls, trellis work; or similar elements.

(j) Enhanced architectural details such as tile work and moldings distinct from the principal facade treatments.

45. Corner Building Entrances. These standards apply to the first 50 feet of depth of property in the NC zone district where a building is located at a corner. One of the following building entry standards shall be met.

(a) Locate the primary entry to the building at the corner of the building or within 25 feet of the corner of the building.

(b) Incorporate prominent architectural elements, such as increased building height or massing, a cupola, a turret, or a pitched roof, at the corner of the building or within 25 feet of the corner of the building.

(c) Chamfer the corner of the building (i.e. cut the corner at a 45-degree angle and a minimum of 10 feet from the corner) and incorporate 2 of the following list of elements in the cut.

i. Extended sheltering weather protection (arcade, canopy, or awning).

ii. Special paving materials differing from adjoining walkway.

iii. Sitting space (i.e., dining area, benches, garden wall or ledges) between the building entrance and sidewalk with a minimum of 16 inches in height and 30 inches in width.

iv. Planter boxes

Explanation:

The Site Plan and Design Review standards of section (F) above are intended to better define and implement the "main street" concept of the PPCP. Note that the various building, architectural features and pedestrian design elements are presented as a more prescriptive set of requirements rather than as a menu of options. These proposed standards are expressly not subject to modification through a Type II modification process under OCMC 17.62.015. Instead, a Type III variance per OCMC 17.60 or master plan adjustment per OCMC 17.65 would be required to vary from the requirements.

PPCP Key Element:

3. Neighborhood-oriented commercial nodes that integrate commercial land uses, residential land use, and public open space.

Chapter 17.65 MASTER PLANS AND PLANNED UNIT DEVELOPMENTS[1]

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,chapter. This chapter intends to foster the growth of major institutions, phased residential, commercial, or mixed-use development, and other large-scale developments while identifying and proportionally mitigating the impacts of such growth on surrounding properties and public infrastructure while identifying and mitigating the impacts of such growth on surrounding properties and public infrastructure through a phased development process . 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 designed to facilitate a streamlined and flexible reviewa discretionary review -process for major institutions, phased residential, commercial, or mixed-use development, and other large-scale developments. This chapter intends to foster the growth of these types of developments, while identifying and proportionally 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.

major developments. This process supports innovative and creative land development approaches and provides long-term assurance for the planning and execution of larger developments, and -in a phased manneraddress . To achieve this, the Master Plan process is structured in a way that allows the applicant to address larger development requirements, such as infrastructure and transportation capacity adequacy , through a phased implementation, -and reserve the capacity of the infrastructure and transportation system before incurring final design costs.

The process may also provide greater certainty for larger institutional, commercial and residential developments by granting longer term approval for phased development (up to twenty years), a process for adjustments to development standards, and the choice to rely on the land use regulations in effect on the date its general development plan application was initially submitted for the duration of the approved master plan and subsequent phases.

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

[1]Editor's note(s)—Ord. No. 18-1009, § 1(Exh. A), adopted July 3, 2019, amended Chapter 17.65 in its entirety to read as herein set out. Former Chapter 17.65, §§ 17.65.010—17.65.090, pertained to master plans, and derived from Ord. No. 08-1014, adopted July 1, 2009; Ord. No. 10-1003, adopted July 7, 2010 and Ord. No. 13-1003, adopted July 17, 2013.

~~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.~~

~~(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)~~

Explanation:

Section has been edited for greater clarity.

17.65.020 What is included in a master plan or planned unit development.

A. A master plan or planned unit development is a two-step process that includes a general development plan and a detailed development plan. A general development plan incorporates the entire area where development is planned for up to the next twenty years from the date of final approval, including the identification of one or more development phases. The general development plan may encompass land that is not currently under the applicant's control, but which eventually may be controlled by the applicant during the duration of the master plan. The plan shall have no effect for lands not currently controlled by the applicant. "Controlled" shall be defined as leased or owned by the applicant. A detailed development plan is the phase or phases of the general development plan that are proposed for development within two years.

B. A master plan or planned unit development identifies the current and proposed uses of the development, proposed project boundaries, and proposed public and private infrastructure needed to serve the development. If approved, the general development plan may be used to allow existing legal non-conforming uses. If conditions of approval from a previous land use decision have not been completed, they shall be modified through the general development plan or completed with new development.

C. A master plan or planned unit development identifies future development impacts, thresholds for mitigation and mitigation improvements and implementation schedules. A threshold for mitigation is the point that determines when or where a mitigation improvement will be required. Examples of "thresholds" include vehicle trips, square feet of impervious surface area, water usage measured in gallons per minute, construction of a building within a general development plan and construction of a building within a certain distance of a residential lot.

Mitigation improvements are necessary when a threshold for mitigation is reached. Examples include road dedication, intersection improvement, road widening, construction of a stormwater or water quality facility, installation of vegetative buffering and wetland restoration or enhancement.

~~(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)~~

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.

E. Pursuant to OAR 660-008-0015, the master plan and planned unit development review process and approval criteria are discretionary. The city has adopted separate clear and objective approval standards and procedures for residential development applications that are entitled to be through a Type I or Type II process.

Explanation:

ORS 197A.400(3) provides that a local government can provide an alternative discretionary process for housing review so long as the alternative does not replace the clear and objective track. By amending the OCMC to implement the PPCP, the City will be providing that clear and objective track. There is no need to further amend the PPCP as it will continue to provide an alternative discretionary track for those applicants who wish to pursue it.

~~(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)~~

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.

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.

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.

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.

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.

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.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)

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 by 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:

i. Physical characteristics;

ii. Ownership patterns;

iii. Building inventory;

iv. Vehicle/bicycle parking;

v. Landscaping/usable open space;

vi. FAR/lot coverage;

vii. Natural resources that appear on the city's adopted Goal 5 inventory;

viii. Cultural/historic resources that appear on the city's adopted Goal 5 inventory;

ix. 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

x. Geologic hazards pursuant to OCMC 17.44.

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

i. Existing transportation facilities, including highways, local streets and street classifications, and pedestrian and bicycle access points and ways;

ii. Transit routes, facilities and availability;

iii. Alternative modes utilization, including shuttle buses and carpool programs; and

iv. 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:

i. Water;

ii. Sanitary sewer;

iii. Stormwater management; and

iv. Easements.

2. Maps and Plans.

a. Existing conditions site plan. Drawn at a minimum scale of one-inch equals one hundred feet (one inch equals 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.

i. Date, north point, and scale of drawing.

ii. Identification of the drawing as an existing conditions site plan.

iii. Proposed development boundary.

iv. 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.

v. Contour lines at two-foot contour intervals for grades zero to ten percent, and five-foot intervals for grades over ten percent.

b. 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 by 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 by eleven in size, and black and white reproducible.

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:

i. Transportation impacts as prescribed in subsection g below;

ii. 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;

iii. 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.

iv. Neighborhood livability impacts;

v. 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:

i. Address the impacts of the development of the site consistent with all phases of the general development plan; or

ii. 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:

i. 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.

ii. 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 a.m. or p.m. 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.

iii. 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:

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

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

iii. Proposed residential types and number of each.

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.

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 or can be met though conditions of approval:

1. The proposed general development plan is consistent with the purposes of OCMC 17.65.

2. Development shall demonstrate compliance with the following chapters of the OCMC if applicable:

a) -12.04 – Streets, Sidewalks and Public Places

b) 12.08 – Public and Street Trees

c) 13.12 – Stormwater Management

d) 16.12 – Minimum Public Improvements and Design Standards for Development

e) ~~,~~ 16.08 – Land Divisions – Process and Standards

f) ~~17.62, if applicable, and 16.08, if applicable~~17.54 – Supplemental Zoning Regulations and Exceptions

g) 17.62 – Site Plan and Design Review.

Explanation:

This section is revised to reference updated chapters of the code that may apply to a General Development Plan. Since a General Development Plan is typically a preliminary review and no development can be authorized unless a Detailed Development Plan is approved, only certain parts of these chapters may be applicable to the GDP. However, they are listed for clarity.

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 as demonstrated at the time of Detailed Development Plan approval.

4. The proposed general development plan protects any inventoried Goal 5 natural, historic or cultural resources within the proposed development boundary consistent with the provisions of the following ~~applicable~~ overlay districts, if applicable:

   a) OCMC Chapter 17.40 – Historic Overlay District

   b) OCMC Chapter 17.42 – Flood Management Overlay District

   c) OCMC Chapter 17.44 – Geologic Hazards Overlay District

   d) OCMC Chapter 17.48 – Willamette River Greenway Overlay District

   e) OCMC Chapter 17.49 – Natural Resource Overlay District~~.~~

Explanation:

This section is revised to reference updated overlay district chapters of the code that may apply to a General Development Plan. Since a General Development Plan is typically a preliminary review and no development can be authorized unless a Detailed Development Plan is approved, only certain parts of these chapters may be applicable to the GDP. Chapters are bullet listed for clarity.

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.

6. 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.

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.

   b. Minimum required open space shall be one hundred square feet per residential unit in 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.

   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.

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.

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.

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 seventy-five 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, duplex, triplex, quadplex, townhouse, cottage cluster, and multi-family.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 22-1001, 1(Exh. A), 6-1-2022)

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.h.i. 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~~ shall demonstrate compliance with the following chapters of the OCMC if applicable:

a) 12.04 – Streets, Sidewalks and Public Places

b) 12.08 – Public and Street Trees

c) 13.12 – Stormwater Management

d) 16.12 – Minimum Public Improvements and Design Standards for Development

e) 16.08 – Land Divisions – Process and Standards

f) 17.52 – Off-Street Parking and Loading

g) 17.54 – Supplemental Zoning Regulations and Exceptions

h) 17.62 – Site Plan and Design Review.

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 the following overlay districts, if applicable:

a) OCMC Chapter 17.40 – Historic Overlay District

b) OCMC Chapter 17.42 – Flood Management Overlay District

c) OCMC Chapter 17.44 – Geologic Hazards Overlay District

d) OCMC Chapter 17.48 – Willamette River Greenway Overlay District

e) OCMC Chapter 17.49 – Natural Resource Overlay District

~~contained in Chapters 17.62, 17.52, 16.12, and 16.08 unless adjusted as provided in OCMC 17.65.070.~~

~~(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)~~

Explanation:

This section is revised to reference updated chapters of the code that may apply to a Detailed Development Plan, which is required prior to any development. Development cannot proceed unless a Detailed Development Plan is approved. Chapters are bullet listed for clarity.

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.

C. Regulations That May be Adjusted. Adjustments may be allowed for the following items:

1. Dimensional standards of the underlying zone of up to twenty 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 ten 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 ten 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.

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.

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;

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;

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

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

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

6. The proposed adjustment is consistent with the Oregon City Comprehensive Plan and a concept plan if applicable.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)

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.

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 ten 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 increase/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.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)

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.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019)